



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
JANUARY 28, 2019 at 5 p.m.
CITY HALL, 222 MEIGS STREET**

| | |
|-------------------------------|--|
| INVOCATION | Wes Poole |
| PLEDGE OF ALLEGIANCE | |
| CALL TO ORDER | |
| ROLL CALL | D. Brady, W. Poole, N. Lloyd, D. Murray, G. Lockhart, N. Twine & D. Waddington |
| APPROVAL OF MINUTES | January 14, 2019 |
| AUDIENCE PARTICIPATION | |
| PRESENTATION | McKenzie Spriggs & Bill Semans – Bicentennial Commission Recap of 2018 Bicentennial Norm Beeke, Vintage Development BGSU/Housing Project on Market Street |
| PUBLIC HEARING | Arielle Blanca, Community Development Manager Proposed Substantial Amendment to FY 2018 CDBG Action Plan |
| COMMUNICATIONS | Motion to accept all communications submitted below |
| CURRENT BUSINESS | |

CONSENT AGENDA ITEMS

A. Submitted by Arielle Blanca, Community Development Manager

PROPOSED SUBSTANTIAL AMENDMENT TO FY 2018 CDBG ACTION PLAN

Budgetary Information: There are no funds required to implement this amendment as all funds are currently allocated to the city through the existing and past CDBG grants.

ORDINANCE NO. _____: It is requested an ordinance be passed approving a substantial amendment to the city's FY 2018 one-year Action Plan for the Community Development Block Grant program year of July 1, 2018 through June 30, 2019, and authorizing and directing the City Manager to submit the amended Action Plan to the United States Department of Housing & Urban Development; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

B. Submitted by Amanda McClain, Housing Manager

ACCEPTING FOUR PARCELS INTO CITY'S LAND BANK PROGRAM

Budgetary Information: The cost of these acquisitions will be approximately \$406 to pay for the title exams and transfer fees. The city will not collect the \$944.95 owed to the city in special assessments, nor will the taxing districts collect the \$11,337.97 owed in delinquent taxes. However, all or part of these costs may be recouped and reimbursed upon the sale of the parcels. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately \$4,577.90 per year.

RESOLUTION NO. _____: It is requested a resolution be passed approving and accepting certain real property for acquisition into the land reutilization program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

C. Submitted by Stuart Hamilton, IT Manager

ANNUAL SUBSCRIPTION WITH INSIGHT PUBLIC SECTOR FOR OFFICE 365

Budgetary Information: The cost for this service for a twelve month period will be \$26,194.50 and will be paid from the IT operating budget, funds in the amount of \$13,097.26 from the water fund and from the sewer fund in the amount of \$6,548.62.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the subscription licensing for Microsoft Office 365 for government from Insight Public Sector of Hanover Park, Illinois, for the city's emailing system; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

D. Submitted by Todd Gibson, Facilities & Properties Supervisor

AUTHORIZATION TO DISPOSE OF PROPERTY VIA INTERNET SALES FOR CY 2019

Budgetary Information: The city is responsible for the disposal of unneeded property to promote operational efficiency. Using public internet auction for the disposal of unneeded items will generate more revenue and make items available to a larger community of potential buyers. Proceeds from sales will be deposited into the account of the department financially responsible for the assets.

RESOLUTION NO. _____: It is requested a resolution be passed declaring the intent of the City of Sandusky to dispose of personal property and equipment as having become obsolete, unnecessary or unfit for city use through internet auctions during the calendar year 2019; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

E. Submitted by Kelly Kresser, Commission Clerk

A notice was received from the Ohio Division of Liquor Control for a stock transfer (only) of a D5I (*Spirituos liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30 a.m. - restaurant meeting certain criteria*) liquor permit for MTL, Inc. dba Berardi’s Family Kitchen. It is requested the Commission Clerk be authorized to notify the Ohio Division of Liquor Control the city does not request a hearing on this matter.

REGULAR AGENDA ITEMS

Item #1 - Submitted by Matt Lasko, Chief Development Officer

SALE OF PARCEL LOCATED AT MARKET AND HANCOCK STREETS TO RESORT SCHOOL, LLC

Budgetary Information: The sales price per the agreement is \$250,000. Anticipated net sales proceeds are estimated at \$245,000. All sales proceeds will be deposited into the real estate development fund.

ORDINANCE NO. _____: It is requested an ordinance be passed declaring that certain property owned by the city located at 250 East Market Street, Sandusky, and identified as Parcel No. 56-64051.000, is no longer needed for any municipal purpose and authorizing and directing the City Manager to enter into an agreement to sell the designated real property to Resort School, LLC; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #2 – Submitted by Matt Lasko, Chief Development Officer

GRANT AGREEMENT WITH ERIE COUNTY PORT AUTHORITY FOR RESORT SCHOOL PROJECT

Budgetary Information: The city will be responsible for providing \$1,000,000 in total grant contributions to the project from the following sources: \$340,000 from the real estate fund (\$240,000 is from recycling the sales proceeds of the land transfer back into the project), and \$660,000 from the economic development capital projects account spread over three years.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$1,000,000 through the substantial development grant program to the Erie County Port Authority, in relation to the property located at 250 East Market Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by Matt Lasko, Chief Development Officer

ENTERPRISE ZONE AGREEMENT WITH FIRELANDS/BGSU FOR RESORT SCHOOL

Budgetary Information: The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create a minimum estimated ten full-time equivalent employment positions that will be subject to city income tax. Additionally, all new real estate tax revenues in years 11 – 30 will be paid into the Central Public Improvement Tax Increment Equivalent fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an enterprise zone agreement with the Erie County Port Authority and Resort School, LLC; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #4 - Submitted by Trevor Hayberger, Law Director

AMENDMENT TO CHAPTER 145 – EMPLOYMENT PROVISIONS

Budgetary Information: There is no budgetary impact to the general fund.

ORDINANCE NO. _____: It is requested an ordinance be passed amending Part One (Administrative Code), Title Five (Officers and Departments), Chapter 145 (Employment Provisions), Section 145.12 (Holidays) and Section 145.18 (sick leave, cash payment) of the codified ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Item #5- Submitted by Stuart Hamilton, IT Manager & John Orzech, Police Chief

PURCHASE OF SURVEILLANCE CAMERAS FROM SMART DIGITAL

Budgetary Information: The cost of the project is \$15,623.50 and will be expensed from the IT’s operating budget in the general fund in the amount of \$5,000; water funds in the amount of \$2,500, sewer funds in the amount of \$2,500 and funds from the law enforcement trust fund in the amount of \$5,623.50.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to purchase two Sentry Pods 360 remote surveillance cameras from Smart Digital of Ashland, Ohio; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Item #6 - Submitted by Stuart Hamilton, IT Manager & John Orzech, Police Chief

PURCHASE OF BODY-WORN CAMERAS FROM AXON

Budgetary Information: The total cost of the 56 Axon body cameras, software, hardware and accessories will be paid through the Police Department’s budget, potential grant funding and the remainder from the capital projects fund over the next three years in accordance with the pay schedule (below) in an amount not to exceed \$155,973.

| | |
|------------|------------------|
| Year One | \$62,373.00 |
| Year Two | 46,800.00 |
| Year Three | <u>46,800.00</u> |
| TOTAL | \$155,973.00 |

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to purchase 56 Axon body cameras, including software, hardware and accessories from Axon Enterprise, Inc. of Scottsdale, Arizona, for the Sandusky Police Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Item #7- Submitted by Matt Lasko, Chief Development Officer

REQUEST TO BID THE DEMOLITION OF 624 CAMP STREET

Budgetary Information: The total estimated cost for this project including advertising and miscellaneous expenses is likely to exceed \$10,000. After receipt and review of bids, staff will present a recommendation to the City Commission to enter into a contract with the firm that provided the lowest and best bid for the demolition. The source to cover the expense of the demolition initially will be the removal of unsafe buildings fund. The owners will then be billed the full cost of the demolition. If the bill remains unpaid, the full cost of the demolition will be certified to the tax duplicate.

RESOLUTION NO. _____: It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed asbestos abatement and demolition of 624 Camp Street project; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

CITY MANAGER’S REPORT

OLD BUSINESS

ITEM TABLED: Authorization to bid 2018 Cedar Point Chaussee Water Tower

NEW BUSINESS

AUDIENCE PARTICIPATION: Open discussion on any item (5 minute limit)

EXECUTIVE SESSION(S)

ADJOURNMENT

Buckeye Broadband broadcasts on Channel 76:

Monday, January 28 at 8:30 p.m.

Tuesday, January 29 at 5 p.m.

Monday, February 4 at 8:30 p.m.

Online:

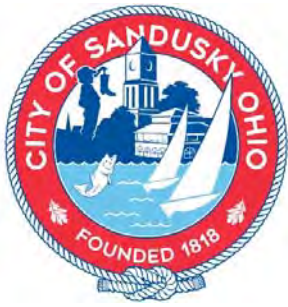
www.YouTube.com and search for “City of Sandusky Commission”

Notice of Public Hearing

The City of Sandusky intends to submit to the U.S. Department of Housing and Urban Development, under the Community Development Block Grant (CDBG) Program, an amendment to its FY 2018 Annual Action Plan. It is anticipated that the City Commission will consider this amendment during the course of its meeting on January 28, 2019.

The amendment is to increase the Clearance and Demolition Activity from \$162,337.76 to \$287,337.76. The \$125,000 increase will come from the current Economic Development Revolving Loan Fund account.

Sandusky Register
January 18, 2019



COMMUNITY DEVELOPMENT DEPARTMENT

222 Meigs Street
Sandusky, Ohio 44870
(419) 627-5847
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Arielle Blanca, Community Development Manager

Date: January 16, 2019

Subject: Commission Agenda Item – Community Development Block Grant (CDBG)
FY18 Substantial Amendment

ITEM FOR CONSIDERATION: Ordinance authorizing a Substantial Amendment to the Community Development Block Grant (CDBG) FY18 Annual Action Plan. The City's current Annual Action Plan reflects approved activities and an associated budget for the grant year running from July 1, 2018 through June 30, 2019.

The following is the proposed amendment:

| | <u>Previously Approved</u> | <u>Proposed</u> |
|---------------------------------|----------------------------|-----------------|
| Clearance & Demolition Activity | \$162,337.76 | \$287,337.76 |

The Clearance and Demolition Activity will be receiving an increase of \$125,000 in funds from the Revolving Loan Fund account.

City Staff completed one round of asbestos abatement and demolition in the Fall of 2018 and plan to complete a second round of asbestos abatement and demolition in the Spring of 2019. After receiving bids for the first round of demolitions it became clear to staff that an amendment would be needed in order to gain more funding to complete a second round of demolitions. As part of the City's CDBG public participation process, the Consolidated Plan Advisory Committee (CPAC) met on December 20, 2018 to review the proposed amendment to the Action Plan.

BUDGETARY INFORMATION: There are no funds required to implement this amendment as all funds are currently allocated to the City through the existing and past CDBG grants.

ACTION REQUESTED: It requested that proper legislation be prepared to approve the Substantial Amendment to the FY18 CDBG Annual Action Plan and that the City Manager be authorized to submit the amendment to HUD. It is further requested that the legislation be passed under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the amendment for approval and allow for timely expenditure of the funds once approved by HUD.

Arielle Blanca
Community Development Manager

I concur with this recommendation:

Matt Lasko
Chief Development Officer

Eric Wobser
City Manager

cc: Eric Wobser, City Manager
 Trevor Hayberger, Law Director
 Hank Solowiej, Finance Director
 Kelly Kresser, Clerk of City Commission
 File

ORDINANCE NO. _____

AN ORDINANCE APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S FY 2018 ONE-YEAR ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR OF JULY 1, 2018 THROUGH JUNE 30, 2019, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT THE AMENDED ACTION PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission authorized the City Manager to accept an Entitlement Grant in the amount of \$719,873.00 total Community Development Block Grant (CDBG) funds for the program year of July 1, 2018, through June 30, 2019, and to submit to U.S. Department of Housing and Urban Development (HUD) a FY 2018 One-Year Action Plan by Ordinance No. 18-109, passed on May 29, 2018; and

WHEREAS, the City's current FY 2018 One-Year Action Plan reflects approved activities and an associated budget for the 2018 Program Year and this Substantial Amendment includes the following proposed changes to this Plan:

| | <u>Previously Approved</u> | <u>Proposed</u> |
|---------------------------------|----------------------------|-----------------|
| Clearance & Demolition Activity | \$162,337.76 | \$287,337.76 |

; and

WHEREAS, the City completed the first round of asbestos abatement and demolition in the Fall of 2018 and planned to completed a second round in the Spring of 2019, however, after receiving bids for the first round, it became evident additional funds would be necessary to complete the second round, and therefore, Staff is proposing to appropriate \$125,000.00 from the Revolving Loan Fund for Clearance & Demolition Activity; and

WHEREAS, as part of the City's CDBG public participation process, the Consolidated Plan Advisory Committee (CPAC) met on December 20, 2018, to review the proposed amendment and a public hearing was held by this City Commission at their January 28, 2019, regularly scheduled meeting; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the substantial amendment for approval and allow for timely expenditure of the funds once approved by HUD; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission authorizes and directs the City Manager to submit to the U.S. Department of Housing and Urban Development a Substantial Amendment for the FY 2018 One-Year Action Plan for the Community Development Block Grant Program Year of July 1, 2018, through June 30, 2019, and to execute any required certifications and agreements and to administer program expenditures consistent with the Amended FY 2018 One-Year Action Plan.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019



COMMUNITY DEVELOPMENT

Division of Code Enforcement

222 Meigs Street
Sandusky, Ohio 44870
419.627.5913
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Amanda McClain, Housing Manager

DATE: January 10, 2019

RE: City Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation requesting approval to accept four (4) parcels of nonproductive land situated within the City of Sandusky through the City of Sandusky's Land Reutilization Program for the purpose of facilitating reutilization of the nonproductive land.

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code to acquire vacant and abandoned tax delinquent property with the future goal of productive reuse of the land. The City's ability to assemble land for reuse and redevelopment is critical to stabilizing and rebuilding Sandusky's neighborhoods and is necessary for neighborhood revitalization.

The goal of the City of Sandusky's Land Reutilization Program is to return vacant and abandoned tax delinquent property to productive use that benefits the community. If a property is not producing tax revenues, less money is collected and available for enhancements back in to the community. Also, because the property is abandoned, it is not maintained and often becomes an illegal dumping ground. The City spends thousands of dollars a year maintaining weeds and nuisance conditions on abandoned properties. By returning the property back to a long-term tax producing status, more revenue is generated and available for community improvements and the City will not have to expend funds to maintain it.

The four (4) parcels requested for acquisition are tax delinquent and have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts and was approved by a quorum of the Land Bank Committee on December 17, 2018.

The four (4) parcels have vacant structures on them. The structure located at 1015 Ging Street is a one story, single family residence with a lot size of 35' X 107'. It has 1,278 sq. ft. of living space with three (3) bedrooms and one (1) bathroom. The structure located at 415 Taylor Street is a one story, single family, residential structure with a lot size of 38' X 109'. It has a

1,102 sq. ft. of living space with two (2) bedrooms and one (1) bathroom. The structure located at 512 Reese Street is a one story, single family residential structure with a lot size of 46' X 66'. It has 920 sq. ft. of living space with three (3) bedrooms and one (1) bathroom. The structure located at 1513 Carr Street is a multi-family residential structure with a lot size of 47' X 132'. It has 2,474 sq. ft. of living space. Upon acquisition the structures will be evaluated for rehabilitation. Those that can't be rehabilitated will be demolished.

The Land Bank Committee has determined that the acquisition of the four (4) other parcels is necessary to protect, improve, and preserve the stability of the neighborhood they are located in.

BUDGET IMPACT: The cost of these acquisitions will be approximately four hundred and six dollars (\$406.00) to pay for the title exams and transfer fees. The City will not collect the nine hundred forty four dollars and ninety five cents (\$944.95) owed to the City in special assessments, nor will the taxing districts collect the eleven thousand three hundred thirty seven dollars and ninety seven cents (\$11,337.97) owed in delinquent taxes. However, all or part of these costs may be recouped and reimbursed upon the sale of the parcels. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately four thousand five hundred seventy seven dollars and ninety cents (\$4,577.90) per year.

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to acquire four (4) parcels of land through the City of Sandusky's Land Reutilization Program. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to allow the Erie County Prosecutor's Office to proceed with the Sheriff's sales and judicial foreclosure process in a timely manner.

Amanda J. McClain, Housing Manager

I concur with this recommendation:

Matt Lasko, Chief Development Officer

Eric L. Wobser, City Manager

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING CERTAIN REAL PROPERTY FOR ACQUISITION INTO THE LAND REUTILIZATION PROGRAM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, it is requested that the City accept four (4) parcels of nonproductive land situated within the City of Sandusky as further described in attached Exhibit "A", for placement in the Land Reutilization Program Inventory; and

WHEREAS, it is necessary to acquire the nonproductive land parcels in accordance with the City of Sandusky's Land Reutilization Program in order to facilitate reutilization of the nonproductive land to support neighborhood revitalization and development within the City; and

WHEREAS, upon City Commission approval, four (4) parcels with vacant structures located at 1015 Ging Street, 415 Taylor Street, 512 Reese Street, and 1513 Carr Street will be evaluated for rehabilitation and the properties that cannot be rehabbed will be demolished; and

WHEREAS, the cost of the acquisitions will be approximately \$406.00, for the cost of title exams and transfer fees and may be recouped by the City upon sale of the properties; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City in order to allow the Erie County Prosecutor's Office to proceed with the Sheriff's sales and judicial foreclosure process in a timely manner; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter; and
NOW, THEREFORE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby approves and accepts for acquisition into the Land Reutilization Program four (4) parcels of nonproductive

land situated within the City of Sandusky, as further described in Exhibit "A", a copy of which is attached to this Resolution and specifically incorporated herein.

Section 2. This City Commission authorizes and directs the City Manager to acquire the nonproductive land in accordance with the City of Sandusky's Land Reutilization Program in order to facilitate reutilization of the nonproductive land to support neighborhood revitalization and development within the City.

Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019

Exhibit A

| Parcel | Address | Owner(s) | Del. Taxes | Assessments | P&I* | Total Owed | Yearly Taxes and Assessments |
|----------------------|---|-----------------------------|------------|-------------|----------|------------|------------------------------|
| 57-03786.000 | 1015 Ging | Roland Rankins | 1,915.04 | 214.83 | 374.41 | 2,504.28 | 957.76 |
| Proposed Use: | This is a vacant one-story, single-family residential structure with a lot size of 35' X 107'. It has 1,278 sq. ft. of living space with three bedrooms and one bathroom. Upon acquisition it will be evaluated for rehabilitation. | | | | | | |
| 57-02991.000 | 415 Taylor | Lee A. & Deborah K. Dresser | 1,998.16 | 0.00 | 387.68 | 2,385.84 | 999.32 |
| Proposed Use: | This is a vacant one-story, single-family residential structure with a lot size of 38' X 109'. It has 1,102 sq. ft. of living space with two bedrooms and one bathroom. Upon acquisition it will be evaluated for rehabilitation. | | | | | | |
| 57-02565.000 | 522 Reese | Harry J. Sims | 3,761.21 | 730.12 | 705.99 | 5,197.32 | 786.22 |
| Proposed Use: | This is a vacant one-story, single-family residential structure with a lot size of 46' X 66'. It has 920 sq. ft. of living space with three bedrooms and one bathroom. Upon acquisition it will be evaluated for rehabilitation. | | | | | | |
| 2017 CV 0292 | | | | | | | |
| 58-01889.000 | 1513 Carr | Richard H. White | 3,663.56 | 0.00 | 710.67 | 4,374.23 | 1,834.60 |
| Proposed Use: | This is a vacant multi-family residential structure with a lot size of 47' X 132'. It has 2,474 sq. ft. of living space with Upon acquisition it will be evaluated for rehabilitation. | | | | | | |
| | | | 11,337.97 | 944.95 | 2,178.75 | 14,461.67 | 4,577.90 |



ADMINISTRATIVE SERVICES

222 Meigs Street
Sandusky, Ohio 44870
Phone: 419-627-5969
shamilton@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Stuart Hamilton

Date: Jan 11th, 2019

Subject: **Commission Agenda Item –Office 365 for Government annual agreement renewal 2019.**

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City Manager to purchase subscription licensing for Office 365 renewal for calendar year 2019 from Insight Public Sector of Hanover Park, Illinois, for a 12 month period (260 E1 and 15 E3 licenses).

BACKGROUND INFORMATION: This is our yearly subscription for our email and office 365 service that we use for collaboration. This has turned out to be a powerful tool for the City from a communication and organizational point of view.

Proposed Solution:

Renew our subscription for another 12 months to keep our service active. Due to be renewed by February 1st 2019.

Microsoft is the sole provider of Office 365 and Insight Public Sector is our Microsoft Partner.

BUDGETARY INFORMATION: The cost for this service for a 12-month period will be \$26,194.50, and will be paid by the IT's operating budget in the amount of \$13,097.26, by the Water Fund in the amount of \$6548.62, and by the Sewer Fund in the amount of \$6548.62.

ACTION REQUESTED: It is recommended that the proper legislation be prepared for the purchase of 12 months of Office 365 for Government subscription licensing from Insight Public Sector. It is requested that this legislation take effect in full accordance with Section 14 of the City Charter in order to make payment for the subscription licensing for Office 365 and ensure continued email communication service.

I concur with this recommendation:

Eric Wobser, City Manager

Stuart Hamilton, I.T Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

SOLD-TO PARTY 10933097

THE CITY OF SANDUSKY IT DEPARTMENT
222 MEIGS ST
SANDUSKY OH 44870-2835

SHIP-TO PARTY

THE CITY OF SANDUSKY IT DEPARTMENT
222 MEIGS ST
SANDUSKY OH 44870-2835

We deliver according to the following terms:

Payment Terms : Net 30 days
Ship Via : Electronic Delivery
Terms of Delivery : FOB DESTINATION
Currency : USD

Quotation

Quotation Number : 220796269
Document Date : 10-JAN-2019
PO Number :
PO Release :
Sales Rep : Michael Thamontri
Email : MTHAMONT@INSIGHT.COM
Telephone :

| Material | Material Description | Quantity | Unit Price | Extended Price |
|---------------------------|--|----------|------------|----------------|
| Q5Y-00007 | Microsoft Office 365 (Plan E3) - Subscription license (1 year) - 1 user - hosted - local, Microsoft Qualified - OLP: Government - additional product, Open - English OPEN MARKET LICENSE : 99516402ZZL2001 | 15 | 220.10 | 3,301.50 |
| Q4Y-00007 | Microsoft Office 365 (Plan E1) - Subscription license (1 year) - 1 user - hosted - local, Microsoft Qualified - OLP: Government - additional product, Open - English OPEN MARKET LICENSE : 99516402ZZL2001 | 260 | 88.05 | 22,893.00 |
| Product Subtotal | | | | 26,194.50 |
| TAX | | | | 0.00 |
| Total | | | | 26,194.50 |

Lease & Financing options available from Insight Global Finance for your equipment & software acquisitions. Contact your Insight account executive for a quote.

Thank you for considering Insight. Please contact us with any questions or for additional information about Insight's complete IT solution offering.

Sincerely,

Michael Thamontri

MTHAMONT@INSIGHT.COM

Insight Global Finance has a wide variety of flexible financing options and technology refresh solutions. Contact your Insight representative for an innovative approach to maximizing your technology and developing a strategy to manage your financial options.

The U.S. government has imposed tariffs on technology-related goods. Many of Insight's OEM and distribution partners have

notified Insight that these tariffs will result in frequent and significant price increases. Some of our major partners have already provided Insight with cost increases, in some instances multiple times per day, while other providers are still assessing their situations. Due to the situation it is possible this quote may be subject to cost changes for Insight which will necessitate changes to the quoted pricing, or withdrawal of the quote.

This purchase is subject to Insight's online Terms of Sale unless you have a separate purchase agreement signed by both your company and Insight, in which case, that separate agreement will govern. Insight's online Terms of Sale can be found at: http://www.insight.com/en_US/help/terms-of-sale-products-ips.html

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS FOR THE SUBSCRIPTION LICENSING FOR MICROSOFT OFFICE 365 FOR GOVERNMENT FROM INSIGHT PUBLIC SECTOR OF HANOVER PARK, ILLINOIS, FOR THE CITY'S E-MAILING SYSTEM; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission approved an Agreement for Consulting Services with Weisberg Consulting Inc., of Milford, Michigan, for the migration of e-mail to Microsoft Exchange Online for Government by Ordinance No. 15-169, passed on November 23, 2015; and

WHEREAS, this City Commission authorized the expenditure of funds for the subscription licensing for Microsoft Office 365 for Government from Insight Public Sector of Hanover Park, Illinois, for the City's e-mailing system by Ordinance No. 16-008, passed on January 25, 2016; and

WHEREAS, the annual subscription licensing for Office 365 for Government for the period beginning February 1, 2019, is \$26,194.50 and will be paid with funds from the Information Technology's operating budget in the amount of \$13,097.26, Water Funds in the amount of \$6,548.62 and Sewer Funds in the amount of \$6,548.62; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make timely payment for the subscription licensing for Office 365 for Government by the renewal date of February 1, 2019, and ensure continued e-mail communication service; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Information Technology, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to expend funds for the annual subscription licensing for Microsoft Office 365 for Government for the period beginning February 1, 2019, from Insight Public Sector of Hanover Park, Illinois, for the City's e-mailing system, at an amount **not to exceed** Twenty Six Thousand One Hundred Ninety Four and 50/100 Dollars (\$26,194.50).

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction,

such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019



DEPARTMENT OF PUBLIC WORKS

Division of Facilities & Properties

1024 Cement Avenue
Sandusky, Ohio 44870
419.627.5884
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Todd Gibson, Facilities & Properties Supervisor

DATE: January 16, 2019

SUBJECT: **Commission Agenda Item – Permission to Participate in Internet Sales in CY 2019**

ITEM FOR CONSIDERATION: It is requested that the City Commission approve legislation declaring the City's intent to sell unneeded vehicles, equipment and other assets, through the use of public internet auction for the calendar year 2019.

BACKGROUND INFORMATION: Ohio Revised Code, Section 721.15 (D) requires the adoption of a resolution expressing the intent of the City of Sandusky to sell unneeded property by internet auction during each calendar year. Each item shall be offered for sale for a minimum of ten (10) calendar days and shall be paid for as described in the "Online Sales Terms and Conditions of the City of Sandusky" (Exhibit A). Shipping and delivery costs shall be the responsibility of the purchaser. Representatives for the City will be designated by the City Manager or Director of Public Works as needed. Internet auctions shall be conducted by using Govdeals.com, Propertyroom.com, Assetnation.com, eBay.com Government Surplus or other such websites, that are found to be most effective and efficient in disposing of the items at the best price obtainable. The items will be designated for disposal by the division head and subsequently approved as unnecessary and unfit for City use by the City Commission. The City's website will be a link for the Public to participate in the auction process.

BUDGET IMPACT: The City is responsible for the disposal of unneeded property to promote operational efficiency. Using public internet auction for the disposal of unneeded items will generate more revenue and make items available to a larger community of potential buyers. Proceeds from sales will be deposited into the account of the department financially responsible for the assets.

ACTION REQUESTED: It is requested that legislation be approved, authorizing the disposal of the vehicles, equipment and other assets through the use of public internet auction. It is further requested this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to begin conducting sales through internet auctions at the earliest opportunity.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

RESOLUTION NO. _____

A RESOLUTION DECLARING THE INTENT OF THE CITY OF SANDUSKY TO DISPOSE OF PERSONAL PROPERTY AND EQUIPMENT AS HAVING BECOME OBSOLETE, UNNECESSARY OR UNFIT FOR CITY USE THROUGH INTERNET AUCTIONS DURING THE CALENDAR YEAR 2019; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to Ohio Revised Code Section 721.15(D), the City is required to adopt a Resolution, during each calendar year, expressing its intent to sell personal property that has become unneeded, obsolete or unfit for municipal purposes by internet auction; and

WHEREAS, Section 25 of the City Charter authorizes the City Manager to conduct all sales of personal property that the City Commission has declared as obsolete, unnecessary or unfit for City use; and

WHEREAS, the internet auctions will be conducted in accordance to the City's online sales terms and conditions and each item shall be offered for sale for a minimum of ten (10) calendar days including Saturday, Sunday, and legal Holidays; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to begin conducting sales through internet auctions at the earliest opportunity; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby declares its intent to use internet auctions as a means to dispose of personal property that this Commission declares obsolete, unnecessary or unfit for City use pursuant to Section 25 of the City Charter for the period of January 1, 2019, through December 31, 2019.

Section 2. This City Commission authorizes and directs the City Manager or designee to conduct the internet auctions in accordance to the City's on-line sales terms and conditions, a copy of which is on file in the office of the Director of Public Works and attached to this Resolution, marked Exhibit "A", and specifically incorporated as if fully rewritten herein, together with such revisions or additions as

are approved by the Law Director as not being adverse to the City and as being consistent with the objectives and requirements of this Resolution.

Section 3. The Clerk of the City Commission be and is hereby directed to publish notice of the City's intent to dispose of personal property and equipment as having become obsolete, unnecessary or unfit for City use through internet auctions pursuant to Ohio Revised Code Section 721.15(D).

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019



**City of Sandusky
Sandusky, Ohio
Online Sales - Terms and Conditions
01/01/19**

All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.

Guaranty Waiver. All assets are offered for sale **“AS IS, WHERE IS.”** Seller makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

Description Warranty. Seller warrants to the Buyer the property offered for sale will conform to its description. Any claim for mis-description must be made prior to removal of the property. If Seller confirms the property does not conform to the description, Seller will keep the property and refund any money paid. The liability of the Seller shall not exceed the actual purchase price of the property. Please note upon removal of the property, **all sales are final.**

Personal and property risk. Persons attending during exhibition, sale or removal of goods assume all risks of damage of or loss to person and property and specifically release the seller and **GovDeals** or any other internet auction host from liability therefore.

Inspection. Most assets offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the asset description. See special instructions on each asset page for inspection details.

Consideration of Bid. Seller reserves the right to reject any and all bids and to withdraw from sale any of the assets listed.

Buyer's Certificate. Successful bidders will receive a Buyer's Certificate by email from **GovDeals** or where it applies with any other internet auction websites.

Buyers Premium. If a Buyer's Premium if applicable, is shown on the auction page bidder box, then that amount (expressed as a percentage of the final selling price) will be added to the final selling price of all items in addition to any taxes imposed.

Payment. Payment in full is due not later than **5 business days** from the time and date of the Buyers Certificate. Acceptable forms of payment are:

- PayPal
- Wire Transfer
- Visa
- MasterCard
- American Express
- Discover
- U. S. Currency
- Certified Cashier's Check
- Money Order
- Company Check (with Bank Letter guaranteeing funds)

PayPal and Credit Card purchases are limited to below \$5,000.00. If the winning bid plus applicable taxes, if any indicated, and the buyer's premium, equals more than \$4,999.99, PayPal and Credit Cards may not be used. If Wire Transfer is chosen, a Wire Transfer Transaction Summary page will provide payment and account information. The Wire Transfer must be completed within 5 days.

Removal. All assets must be removed within **ten (10) business days** from the time and date of issuance of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Seller** assume responsibility for packing, loading or shipping. See special instructions on each asset page for removal details. A daily storage fee of \$10.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.

Vehicle Titles. **Seller** will issue a title or certificate upon receipt of payment. Titles may be subject to restrictions as indicated in the asset description on the website.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. **Seller** reserves the right to reclaim and resell all items not removed by the specified removal date.

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are displayed at the top of each page of each asset listed on **GovDeals** or where it applies to any other internet auction host website. Special Instructions appearing on the asset page will override certain sections of the terms and conditions.

State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed.

Sales to Employees. Employees of the **Seller** may bid on the property listed for auction, so long as they do NOT bid while on duty.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

| | | | | |
|-----------------|-----|-----------------------------|-------------|--|
| 5402016 | | STCK | TO | |
| PERMIT NUMBER | | TYPE | M TL INC | |
| ISSUE DATE | | DBA BERARDIS FAMILY KITCHEN | | |
| 01 08 2019 | | 1019 W PERKINS AV | | |
| FILING DATE | | SANDUSKY OH 44870 | | |
| D51 | | | | |
| PERMIT CLASSES | | | | |
| 22 | 077 | B | F21643 | |
| TAX DISTRICT | | | RECEIPT NO. | |
| FROM 01/10/2019 | | | | |



| | | |
|----------------|--|-------------|
| PERMIT NUMBER | | TYPE |
| ISSUE DATE | | |
| FILING DATE | | |
| PERMIT CLASSES | | |
| TAX DISTRICT | | RECEIPT NO. |



MAILED 01/10/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/11/2019

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **B STCK 5402016**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF SANDUSKY CITY COUNCIL
222 MEIGS STREET
SANDUSKY OHIO 44870

For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>



APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP
PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

| | |
|--|---|
| Permit Holder Name M-TL Inc dba Berardi's Family Kitchen | Liquor Permit Number(s) 540216 <i>5402016</i> <i>F021643</i> |
| Permit Premises Address 1019 W. Perkins Avenue, Sandusky OH 44870 | |
| Email Address s a n d u s k y b e r a r d i s @ g m a i l . c o m | |
| Attorney's Name, Address and Telephone Number (If represented) | |
| Is Stock Traded on a National Exchange? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If YES, give Name of Exchange and Symbol | |

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS

| Name | BIRTHDATE | Social Security Number/FTI# | Number of Shares Issued For Stock Transfer Only (NOT Percentages) |
|--------------------|------------|-----------------------------|---|
| 1) Thomas E Leber | [REDACTED] | [REDACTED] | 40 |
| 2) Maria Berardi | [REDACTED] | [REDACTED] | 40 |
| 3) Daniel A. Leber | [REDACTED] | [REDACTED] | 20 |
| 4) | | | |
| 5) | | | |

SECTION B: REVISED 5% OR MORE STOCKHOLDERS

| Name | BIRTHDATE | Social Security Number/FTI# | Number of Shares Issued For Stock Transfer Only (NOT Percentages) |
|--------------------|------------|-----------------------------|---|
| 1) Thomas E Leber | [REDACTED] | [REDACTED] | 35 |
| 2) Maria Berardi | [REDACTED] | [REDACTED] | 35 |
| 3) Daniel A. Leber | [REDACTED] | [REDACTED] | 30 |
| 4) | | | |
| 5) | | | |

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.

TOTAL NUMBER OF
SHARES ISSUED

100

| LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE" | Social Security Number | Birthdate |
|--|------------------------|------------|
| 1) CEO/President Thomas E Leber | [REDACTED] | [REDACTED] |
| 2) Vice-President Maria Berardi | [REDACTED] | [REDACTED] |
| 3) Secretary Maria Berardi | [REDACTED] | [REDACTED] |
| 4) Treasurer Daniel A Leber | [REDACTED] | [REDACTED] |

Kelly Kresser

From: John Orzech
Sent: Monday, January 7, 2019 12:05 PM
To: Greg Voltz; Kelly Kresser; Stephen Rucker
Cc: Angela Byington; Thomas Horsman
Subject: RE: Liquor Permit TREX

No issues from police.

JOHN ORZECH | *Chief of Police*
SANDUSKY POLICE DEPT.
222 MEIGS STREET | SANDUSKY, OH 44870
DESK (419) 627-5869 | FAX (419) 627-5862



From: Greg Voltz
Sent: Monday, January 7, 2019 11:55 AM
To: Kelly Kresser <kkresser@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>
Cc: Angela Byington <abyington@ci.sandusky.oh.us>; Thomas Horsman <thorsman@ci.sandusky.oh.us>
Subject: RE: Liquor Permit TREX

Thank you Kelly,

The below mentioned property is zoned "RB" – Roadside Business which does permit this use.

Thank you,



Greg Voltz | *Planner*
Planning Department
222 Meigs Street | Sandusky, OH 44870
T: 419.627.5973
www.ci.sandusky.oh.us



From: Kelly Kresser

Sent: Monday, January 7, 2019 11:51 AM

To: John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>; Greg Voltz <gvoltz@ci.sandusky.oh.us>

Subject: Liquor Permit TREX

Attached is a C1 (*beer only in original sealed container for carryout only*), C2 (*wine and mixed beverages in sealed containers for carryout*), and D6 (*sale of intoxicating liquor on Sunday between the hours of 10 a.m. or 11 a.m. and midnight*) TREX liquor permit transfer from DHRUV, LLC to EKDANTA, LLC dba Sandusky Food & Wine, 303 Fremont Avenue.

Please provide comments relative to this requested Trex permit transfer.

Kelly Kresser

From: Greg Voltz
Sent: Wednesday, January 16, 2019 3:43 PM
To: Kelly Kresser; John Orzech; Stephen Rucker
Subject: RE: Liquor Permit - Stock Transfer

Thank you Kelly,

The below mentioned property is zoned "GB" – General Business which does permit this use.

Thank you,



Greg Voltz | *Planner*
Planning Department
222 Meigs Street | Sandusky, OH 44870
T: 419.627.5973
www.ci.sandusky.oh.us



From: Kelly Kresser
Sent: Wednesday, January 16, 2019 3:33 PM
To: John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>; Greg Voltz <gvoltz@ci.sandusky.oh.us>
Subject: Liquor Permit - Stock Transfer

Attached is a Notice to Legislative Authority of a stock transfer for a D5I (*spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers until 2:30 a.m. in a restaurant meeting certain criteria*) liquor permit for MTL, Inc. dba Berardi's Family Kitchen, 1029 West Perkins Avenue.

Please provide comments from your respective department regarding this notice.

Kelly Kresser

From: Stephen Rucker
Sent: Wednesday, January 16, 2019 3:42 PM
To: Kelly Kresser; John Orzech; Greg Voltz
Subject: RE: Liquor Permit - Stock Transfer

No issues Thanks



Steve Rucker | *Fire Marshal*
SANDUSKY FIRE DEPARTMENT
600 W. Market Street | Sandusky, OH 44870
T: 419.627.5823 | F: 419.627.5820
srucker@ci.sandusky.oh.us
www.ci.sandusky.oh.us

From: Kelly Kresser
Sent: Wednesday, January 16, 2019 3:33 PM
To: John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>; Greg Voltz <gvoltz@ci.sandusky.oh.us>
Subject: Liquor Permit - Stock Transfer

Attached is a Notice to Legislative Authority of a stock transfer for a D51 (*spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers until 2:30 a.m. in a restaurant meeting certain criteria*) liquor permit for MTL, Inc. dba Berardi's Family Kitchen, 1029 West Perkins Avenue.

Please provide comments from your respective department regarding this notice.



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager

From: Matt Lasko, Chief Development Officer

Date: January 16, 2019

Subject: Commission Agenda Item – Sale of Property

Items for Consideration: Legislation authorizing the City Manager to enter into a Purchase and Sale Agreement (the “Agreement”) with Resort School, LLC (the “Buyer”) for the sale of Permanent Parcel Number 56-64051.000, located at 250 E. Market Street (the “Property”).

Background Information: The Buyer is jointly owned by entities affiliated with Marous Development Group, LLC and Cedar Fair, LP (collectively, the “Partners”). Marous Development Group, LLC is owned by Adelbert P. Marous, Jr. who, through his affiliated companies has for over 40 years executed development and construction services on adaptive reuse and new construction projects in Northern Ohio and other surrounding states. Cedar Fair, LP is one the world’s largest amusement and hospitality companies and headquartered in Sandusky, Ohio. Collectively, the Partners desire to construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space and minimally eighty (80) residential units on the Property. The \$13,600,000+ development is tentatively planned to be constructed and occupied by September 30, 2020. The Property is currently City owned and the Buyer desires to execute the Agreement to move forward with the above referenced project.

Terms of the Agreement call for the approximate .8 acre Property to be sold for \$250,000 with a \$2,500 earnest deposit required and the balance paid at the time of transfer. There is a traditional split of closing costs and the anticipated closing date is set for on or before April 30, 2019.

Budgetary Information: The sales price per the Agreement is \$250,000. Anticipated net sales proceeds are estimated at \$245,000. All sales proceeds will be deposited into the Real Estate Development Fund.

Action Requested: It is requested that legislation be passed approving the Agreement between the City and Resort School, LLC and for the City Manager to be permitted to execute any and all documents to effectuate the transfer. Further it is requested that the legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to transfer the Property and commence construction in Spring of 2019.

I concur with this recommendation:

Matthew D. Lasko, MUPDD, MSSA
Chief Development Officer

Eric L. Wobser
City Manager

cc: Kelly Kresser, Clerk of the City Commission
Trevor Hayberger, Law Director
Hank Solowiej, Finance Director

ORDINANCE NO. _____

AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY LOCATED AT 250 E. MARKET STREET, SANDUSKY, AND IDENTIFIED AS PARCEL NO. 56-64051.000, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO SELL THE DESIGNATED REAL PROPERTY TO RESORT SCHOOL, LLC; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City is the owner of certain real property located at 250 E. Market Street, Sandusky, and identified as Parcel No. 56-64051.000; and

WHEREAS, Resort School, LLC, is jointly owned by entities affiliated with Marous Development Group, LLC and Cedar Fair, LP and desires to purchase the property located at 250 E. Market Street to construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space and minimally eighty (80) residential units on the property and the \$13,600,000+ development is tentatively planned to be constructed and occupied by September 30, 2020; and

WHEREAS, the City desires to sell the property to Resort School, LLC, at the purchase price of \$250,000.00 and will be responsible for one-half of the closing costs and all proceeds from the sale will be deposited into the Real Estate Development Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the City to transfer the property as soon as possible and allow Resort School, LLC, to move forward with their project and commence construction in the Spring of 2019; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission finds, determines and declares that Parcel No. 56-64051.000, located at 250 E. Market Street, Sandusky, more specifically described in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, is no longer needed for any municipal purpose pursuant to Section 25 of the Charter of this City.

Section 2. The City Manager is hereby authorized and directed to enter into a Purchase and Sale Agreement with Resort School, LLC, for the sale of Parcel No. 56-

64051.000, located at 250 E. Market Street, Sandusky, substantially in the same form as attached to this Ordinance, marked Exhibit “1”, and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City’s public purpose.

Section 3. The City Manager, Finance Director and Law Director are authorized and directed to take such other actions and measures as are incident to and reasonably necessary to effect the sale of Parcel No. 56-64051.000, located at 250 E. Market Street, Sandusky.

Section 4. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019

PURCHASE AND SALE AGREEMENT

This Agreement is made and entered into this _____ day of _____ 2019, by and between Resort School LLC, an Ohio Limited Liability Company, hereinafter referred to as the "Purchaser" and the City of Sandusky, Ohio, a municipal corporation and political subdivision duly organized and validly existing under the Constitution and laws of the State of Ohio, hereinafter referred to as "Seller."

WITNESSETH:

In consideration of the premises and the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from the Seller, the vacant land consisting of .803+/- acres, whose address is 250 East Market Street, Permanent Parcel Number is 56-64051.000 which is located at the southwest corner of East Market Street and Hancock Street, Sandusky, Ohio, and more fully described in the legal description marked "Exhibit A" attached to this Agreement and specifically incorporated as if fully rewritten herein, (collectively, the "Land"), together with (i) the improvements located thereon (the "Improvements"); (ii) all existing permits, licenses and approvals of any governmental authority exclusively relating to the construction, use or operation of the Land and Improvements, if any, but only to the extent assignable and held by Seller, (collectively, the "Permits"); (iii) all other existing contracts or agreements relating exclusively to the Land and Improvements, if any, but only to the extent assignable (collectively, the "Contracts"), with such Contracts to be delivered to Purchaser within five (5) business days after execution of this Agreement (as hereinafter defined); (iv) all of Seller's rights and interests in any existing surveys, soil and substrata studies, environmental studies, engineering studies, and other studies exclusively relating to the Land and Improvements and which are in Seller's possession and prepared by third party consultants (collectively, the

"Studies"); and (v) all of Seller's rights and interest, if any, in and to all roads, streets, alleys, water privileges, air rights, association rights and easements belonging or appurtenant to the Land and Improvements (collectively, the "Appurtenances"); the Land, Improvements, Permits, Contracts, Studies and Appurtenances hereinafter collectively referred to as the "Property" the legal description of which will be set forth in the deed transferring ownership of said premises.

2. The total purchase price for the Property is \$250,000.00 payable as follows:

- a. A \$2,500.00 deposit (the "Deposit") to be deposited with Hartung Title Agency, 327 East Washington Street, Sandusky, Ohio 44870 (the "Escrow Agent") within three (3) business days after the execution of this Agreement, which is acknowledged as having been received by the Seller by virtue of the Seller's signature as contained hereinbelow and which is to be applied to the purchase price at closing; and
- b. The balance of \$247,500.00 shall be paid by wire, cashier's check or by certified check, which sum shall be deposited with the Escrow Agent on or before the closing date of this transaction and is subject to the prorations and adjustments set forth in this Agreement.

3. Before closing, Seller(s) may remove any structures on the property or any component parts thereof as long as the removal of such structures or the component parts thereof does not create an unsafe premises or leave the property in an "attractive nuisance" condition that could expose the Purchaser to potential liability issues related to the removal of such structures or their component parts.

4. The Seller shall furnish a limited warranty deed to the Purchaser.

5. Within ten (10) days after execution of this Agreement, the Purchaser shall order a title examination or commitment for an owner's policy of title insurance insuring Purchaser's title to the Property. The Purchaser shall furnish a copy of the examination report or commitment to the Seller. If the examination report or commitment shows that title to all or part of the Property is

unmarketable, as determined by Ohio law, or is subject to any defect, lien or encumbrance that is not a Permitted Encumbrance, the Purchaser shall notify the Seller of its objections within thirty (30) days after Purchaser's receipt of the title commitment or the same will have been deemed waived by the Purchaser. To the extent the Purchaser's objections involve monetary liens, Seller shall, upon receipt of the Purchaser's objections, promptly undertake and complete prior to the closing all actions necessary to satisfy and eliminate the liens. If Seller elects not to remedy or remove the defect or encumbrance or is unable to do so, the Purchaser's sole remedy shall be to elect either to (i) waive the defect or encumbrance and accept such title to the Property as Seller is able to convey or (ii) terminate this Agreement. The Purchaser shall so elect by delivering written notice to Seller on or before the date of the closing, and if the Purchaser fails to give such notice, it shall be deemed to have exercised election (i). If the Purchaser terminates the Agreement as provided in clause (ii), both the Purchaser and the Seller shall be released from all obligations under this Agreement, and the Deposit shall be returned to the Purchaser. All costs of the title examination or title insurance commitment and policy shall be paid for pursuant to the two sections 9(c) of this agreement.

6. Should any improvements upon the aforesaid property be damaged or destroyed prior to closing, then the Purchaser, may, at Purchaser's option: (1) elect to continue this Agreement in full force and effect, in which case the Seller shall forthwith assign the Purchaser all rights of the Purchaser to the insurance recovery due by reason of said damages, or (2) elect to rescind and void this Agreement, and thereupon there shall be returned to the Purchaser the Deposit and all money, papers or documents deposited by Purchaser, and there shall be returned to Seller all papers or documents deposited by Seller. After the closing, the risk of loss

shall be and is assumed by the Purchaser. There shall be no proration of insurance, it being the obligation of the Purchaser to procure Purchaser's own policies of insurance to be effective from and after the date of closing. Seller agrees to maintain the improvements in their present condition until delivery of possession subject to reasonable wear and tear and the provisions of this Paragraph and Paragraph 3.

7. The closing date of this transaction shall be no later than April 30th, 2019 or at such other time as may be mutually agreed upon, in writing, by the parties. All funds and documents required to close this transaction shall be deposited with the Escrow Agent on or before the closing date. An executed counterpart of this Agreement shall be deposited with the Escrow Agent by the Purchaser and this Agreement shall serve as the escrow instructions. The Escrow Agent may attach its standard conditions of acceptance thereto; provided, however, that in the event such standard conditions are inconsistent or in conflict with the terms of this Agreement, this Agreement shall control.

8. The Seller and the Purchaser represent that no real estate broker or agent was involved in this transaction and that no brokerage fees, commissions, or other compensation is due any real estate broker or agent because of this transaction. Seller and Purchaser shall hold each other harmless against all liabilities and payment, or claim for payment, of any real estate commission and for all costs and expenses, including reasonable attorney's fees arising in connection with the defense of any claim by any party, including but not limited to brokers or agents, alleging to be due a commission in this transaction.

9. On the closing date, the Escrow Agent shall calculate and prorate any property taxes, assessments or other charges as of the closing date, and file or record the deed, and any

other instruments, if any, required to be recorded pursuant to this Agreement and shall thereupon deliver to each of the parties, the funds and documents to which they shall be respectively entitled, together with its escrow statement.

In closing this transaction, the escrow agent shall charge the Seller with the following costs of this transaction:

- a. The cost of any real estate transfer tax on file;
- b. One-half of the escrow fees; and
- c. One-half the cost for the title examination and insurance policy in the amount of the purchase price.

In closing this transaction, the escrow agent shall charge the Purchaser with the following costs of this transaction:

- a. The cost of filing the deed for record; the deed to be prepared by Purchaser's attorney;
- b. One-half of the escrow fees; and
- c. One-half the cost for the title examination and insurance policy in the amount of the purchase price.

Seller and Purchaser shall each pay their own legal fees in conjunction with this transaction.

10. Purchaser shall be entitled to possession of the premises upon the closing of this transaction or at such later date as may be agreed to by the Purchaser but in no event shall possession by the Purchaser take place later than April 30th, 2019.

11. In the event that the Purchaser breaches this Agreement by not closing this transaction on or before April 30th, 2019, the Deposit shall be immediately paid to the Seller, which payment may be treated as liquidated damages as Seller's sole remedy (the precise amount of

damages being difficult or impossible to ascertain).

12. All notices required to be given or delivered under this Agreement shall be in writing and shall be determined to have been given or delivered, as the case may be to:

(i) If to Seller, when delivered to:

City of Sandusky
222 Meigs Street
Sandusky, Ohio 44870
Attention: Eric Wobser
Email: ewobser@ci.sandusky.oh.us

With a copy then delivered to:

City of Sandusky
222 Meigs Street
Sandusky, Ohio 44870
Attention: Trevor M. Hayberger
Email: thayberger@ci.sandusky.oh.us

(ii) If to Purchaser, when delivered to:

Resort School LLC
36933 Vine Street
Willoughby, Ohio 44094
Attention: John E. Spear
Email: jspear@marous-dg.com

With a copy then delivered to:

Reminger Co., LPA

237 West Washington Row, 2nd Floor

Sandusky, Ohio 44870

Attention: James E. Peters, Esq.

Email: jpeters@reminger.com

13. This Agreement sets forth the entire and understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any representations concerning the same shall be binding upon the parties unless specifically set forth herein.

14. The Agreement may be executed in multiple counterparts each of, which shall be deemed an original, but all of which together shall constitute one and the same instrument.

15. This Agreement shall be binding upon and inure to the benefit of Seller and Purchaser and their respective heirs, legal representatives, and assigns.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

IN THE PRESENCE OF:

PURCHASER:
Resort School LLC

Adelbert P. Marous, Jr.
Manager

SELLER:
CITY OF SANDUSKY

Eric Wobser
City Manager

APPROVED AS TO FORM:

Trevor M. Hayberger
Law Director
City of Sandusky

342

VOL 204 PAGE 342

WARRANTY DEED—No. 062

142542

FALLS LAW PRINT COMPANY,
CUYAHOGA FALLS, O.

Know all Men by these Presents

That, we, Clark Dunlap, single, and Carrie D. Irvine, Single
the Grantors,
who claim title by or through instrument, recorded in Volume 163, Page 443, County
Recorder's Office, for the consideration of
Eleven Thousand and -----no/100 Dollars (\$11,000.00)
received to our full satisfaction of

The City of Sandusky, Ohio the Grantee,
whose TAX MAILING ADDRESS will be
City Building, Sandusky, Ohio do
Give, Grant, Bargain, Sell and Convey unto the said Grantee, its successors
heirs and assigns, the following described premises, situated in the City of
Sandusky, County of Erie and State of Ohio:

Being the west thirty-three (33) feet of the
East ninety-three (93) feet of Lots 7 and 8
Hancock Street together with and subject to
easements and rights of way of record, if any,

Rec 1210



be the same more or less, but subject to all legal highways.

To Have and to Hold: the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, its successors and assigns forever.

And we, Clark Dunlap and Carrie D. Irvine the said Grantors, do for ourselves and our heirs, executors and administrators, covenant with the said Grantee its successors heirs and assigns, that at and until the encasing of these presents, we are well seized of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all incumbrances whatsoever except taxes and assessments, general and special, commencing with the year 1955,

and that we will Warrant and Defend said premises, with the appurtenances thereunto belonging, to the said Grantee its successors heirs and assigns, against all lawful claims and demands whatsoever except as stated.

And for valuable consideration

release and forever quit claim unto the said Grantee its successors heirs and assigns all right and expectancy of Power in the above described premises.

In Witness Whereof we have hereunto set our hands, the 6th day of September, in the year of our Lord one thousand nine hundred and fifty-five.

Signed and acknowledged in presence of

Clark Dunlap
Carrie D. Irvine

Clark Dunlap
Carrie D. Irvine

State of Ohio
County, ss.

Before me, a Notary Public in and for said County and State, personally appeared the

above named Clark Dunlap and Carrie D. Irvine

who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at Sandusky, Ohio this 6th day of September, A. D. 1955

Gustav M. Nagel
Notary Public

My Commission Expires:-
GUSTAV M. NAGEL
Notary Public
My Commission Expires May 28, 1956

14254
1955
10/7 PM 3
Clark Dunlap
Carrie D. Irvine
ERIE COUNTY
TO
City of Sandusky, Ohio

Transferred OCT - 7 1955
Charles S. Schwenker
COUNTY AUDITOR
Oct. 20 1955

State of Ohio
County of Erie

Received for Record on the
7th day of Oct. 1955
at 3:11 o'clock P. M.
and Recorded Oct. 10th, 1955 in
Record Book 264 Page 342-343

Carl A. Speir,
COUNTY RECORDER

Recorders Fee \$

THE ERIE COUNTY TITLE CO. 19823

338

142540

VOL 264 PAGE 338

THE COLUMBUS BLANK BOOK MFG. CO., COL., O.

1179

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS: That MABEL HOOVER (widow) and ELSA BLAKE
(widow) _____
of the City _____ of Sandusky _____, County of Erie _____
and State of Ohio _____ in consideration of the sum of
One Dollar (\$1.00) and other good and valuable considerations: _____
to them _____ paid by THE CITY OF SANDUSKY, OHIO _____
of the _____ of _____, County of _____
and State of _____ the receipt whereof is hereby acknowledged,
do hereby GRANT, BARGAIN, SELL and CONVEY to the said _____
THE CITY OF SANDUSKY, OHIO _____
successors
its _____ and assigns forever, the following REAL ESTATE, situated in
the County of Erie _____ in the State of Ohio _____ and in the
City _____ of Sandusky _____ and bounded and described as follows:

Being the East thirty (30) feet of Lots Seven (7) and Eight (8)
Hancock Street except the South ^{one (1)} rod thereof, together with and
subject to easements, rights of way of record and restrictions.



Last Transfer: Deed Record Volume _____, Page _____

TO HAVE AND TO HOLD said premises, with all the privileges and appurten-
ances thereunto belonging, to the said THE CITY OF SANDUSKY, OHIO _____

successors
its _____ and assigns forever.

And the said Mabel Hoover and Elsa Blake _____

for themselves and their heirs, do hereby covenant with the said
THE CITY OF SANDUSKY, OHIO _____

its successors
_____ and assigns, that they are lawfully seized of the premises
aforesaid; that the said premises are FREE AND CLEAR FROM ALL INCUMBRANCES
WHATSOEVER; ~~EXCEPTING TITLE EXISTING PRIOR TO THE DATE OF THIS DEED~~

and that _____ we _____ will forever WARRANT AND DEFEND the same with the appurtenances unto the said _____ THE CITY OF SANDUSKY, OHIO _____

its successors ~~hereby~~ and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said _____ MABEL HOOVER and ELSA BLAKE _____

~~Who hereby release~~ right of dower in the premises, have hereunto set _____ their _____ hand s, this _____ 16th day of _____ September _____, 19 55
Signed and acknowledged _____ Mabel Hoover
in presence of _____ Elsa Blake
_____ Elsa Blake

John R. Speir
Sheldon Beestel

THE STATE OF OHIO _____ ERIE COUNTY, ss.
BE IT REMEMBERED, That on this _____ 16th _____ day of _____ September _____, 19 55 before me, the subscriber, a _____ Notary Public _____ in and for said County, personally came the above named _____ MABEL HOOVER and ELSA BLAKE _____ the Grantors in the foregoing Deed, and acknowledged the signing of the same to be their voluntary act and deed, for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last aforesaid.

John R. Speir
Notary Public

Warranty Deed

FROM
MABEL HOOVER and
ELSA BLAKE
OF THE CITY OF SANDUSKY, OHIO
TO
THE CITY OF SANDUSKY, OHIO

Received Oct. 7th, 1955
At 3:11 o'clock P.M.
Recorded Oct. 10th, 1955
In Erie County
Record of Deeds, Vol. 264
Page 338-339

Carl A. Speir, Recorder
Recorder's Fee, - - - \$ 1.00
TRANSFERRER
OCT - 7 1955
THE COLUMBIAN BLANK BOOK MFG. CO., CO., O.

PAGE 340

That, I, George Carroll, unmarried

-----the Grantor, who claims title by or through
instrument recorded in Volume 208, Pages 76-77, County Recorder's Office,
for the consideration of Fourteen Thousand Dollars (\$14,000.00)-----
-----received to my full satisfaction of

- - - - City of Sandusky, Ohio

- - - - -the Grantee, whose TAX MAILING ADDRESS will be

City Building, Sandusky, Ohio -----, do
Give, Grant, Bargain, Sell and Convey unto the said Grantee, its successors
~~and assigns~~ and assigns, the following described premises, situated in the -- City -- of
 ----- Sandusky -----, County of ----- Erie ----- and State of Ohio:

And being the west thirty feet of the East sixty feet of Lots 7 and 8 Hancock Street and the south one rod of the East thirty feet of Lot 8 Hancock Street.



hexthexanzenwonenxhess; bewinstrepenknt omvdx; besoud; jnk gka d v r

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, its successors ~~heirs~~ and assigns forever.

And I, George Carroll - - - - - myself - - - - - my heirs, executors and administrators, covenant with the said Grantee, its successors ~~heirs~~ and assigns, that at and until the ensembling of these presents, I am - - - - - well seized of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all incumbrances whatsoever except taxes and assessments after the date hereof, which are to be assumed and paid by the Grantee, and valid easements and restrictions, if any, of record - - -

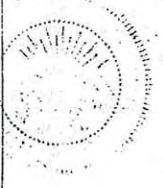
and that - - - -I will Warrant and Defend said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors/~~uses~~ and assigns, against all lawful claims and demands whatsoever except as above stated.

In Witness Whereof, I have hereunto set my hand, the
23rd day of September, in the year of our Lord one thousand
nine hundred and fifty-five.

Signed and acknowledged in presence of
Hiram S. White George Carroll

State of Ohio, } ss. Before me, a Notary Public--
Erie County, } in and for said County and State, personally appeared
the above named George Carroll, unmarried

who acknowledged that--he did sign the foregoing instrument and that the
same, is--his free act and deed.



In Testimony Whereof I have hereunto set my hand
and official seal, at Sandusky, Ohio
this 23rd day of September -- A. D. 1955.

EARL C. KRUEGER
BY COMMISSION EXPIRES 6-16-57
Notary Public

142541 22671

Deed Book

1955 OCT 7 PM 3:11

George Carroll SPEIR
CARL A. SPEIR
RECORDS & CO
ERIE COUNTY OHIO

City of Sandusky, Ohio

Transferred OCT - 7 1955
Charles S. Schwaninger
COUNTY AUDITOR

STATE OF OHIO

COUNTY OF Erie SS
RECEIVED FOR RECORD ON THE
7th day of Oct. 1955
at 2:11 o'clock P. M.
and RECORDED Oct. 10th, 1955 in
Deed Book 264 PAGE 340-341

Carl A. Speir,
COUNTY RECORDER
RECORDERS FEE \$ 1.40

KRUEGER, MOYER & O'HARA
ATTORNEYS
508 FEICK BUILDING

THE ERIE COUNTY RECORDER 142541

Know all Men by these Presents

That, I, Olah F. Walters, widow and unmarried,

, the Grantor ,

~~whom I have by this my foregoing instrument recorded in Volume~~ ~~xx~~ ~~Page~~ ~~xx~~ ~~County~~

~~Recorders Office~~ for the consideration of Twenty Three Thousand Five

received to my full satisfaction of Hundred and -----no/100 Dollars (\$23500.00)

The City of Sandusky, Ohio

the Grantee ,

whose TAX MAILING ADDRESS will be

City Building, Sandusky, Ohio

do

Give, Grant, Bargain, Sell and Convey unto the said Grantee ,
Heirs and assigns, the following described premises, situated in the City of
Sandusky , County of Erie and State of Ohio:

Being the easterly two-thirds (2/3) of lot number ten (10) on Hancock Street, excepting therefrom the westerly thrity-nine (39) feet of the northerly one-half (1/2) of said lot number ten (10), and also the northerly one-third (1/3) of lots numbers forty-nine and fifty-one (51) on Washington Street, all in the City of Sandusky, Ohio, subject to easements and rights of way of record.



25.85 km

143983
WARRANTY DEED

Know all Men by These Presents

That we, JANET A. SHIERSON, BARBARA SPROW MORGAN, URSULA A. HAYS, AUGUST W. SPROW and WILLIAM J. SPROW, JR., the GRANTORS, for the consideration of ELEVEN THOUSAND DOLLARS (\$11,000.00), received to our full satisfaction of THE CITY OF SANDUSKY, a municipal corporation in Erie County, Ohio, the GRANTEE, do hereby GIVE, GRANT, BARGAIN, SELL and CONVEY unto said Grantee, its successors and assigns the following described premises, situated in the City of Sandusky, County of Erie, and State of Ohio, and being:

The westerly thirty-nine (39) feet of the easterly two-thirds (2/3) of Lots Numbers Seven (7) and Eight (8) on Hancock Street, and the westerly thirty-nine (39) feet of the easterly two-thirds (2/3) of the northerly one-half (1/2) of Lot Number Ten (10) on Hancock Street.

It is understood and agreed by and between Grantors and Grantee that the premises hereby conveyed shall be construed to exclude any real property which lies westerly of the outside of the easterly wall of the brick building known as the Schmidt Building or as the Schmidt Apartment Building.

Reserving to the Grantors herein, their heirs and assigns, as owners of the westerly one-third (1/3) of Lots Numbers Seven (7), Eight (8), and Ten (10) on Hancock Street, and the whole of Lot Number Eight (8) on Wayne Street and the northerly one-half (1/2) of Lot Number Ten (10) on Wayne Street, in the City of Sandusky, Erie County, Ohio, the joint use of a right of way for driveway purposes over the northerly twelve (12) feet of the easterly two-thirds (2/3) of Lot Number Ten (10) on Hancock Street.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, its successors and assigns, forever.

And we, Janet A. Shierson, Barbara Sprow Morgan, Ursula A. Hays, August W. Sprow and William J. Sprow, Jr., the Grantors, do for ourselves and for our heirs, administrators and executors covenant with said Grantee, its successors and assigns, that at and until the ensealing of these presents, we are well seized of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all incumbrances whatsoever except taxes and assessments, if any for the year 1955 and thereafter, and that we will warrant and defend said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors and assigns, against all claims and demands whatsoever except the aforesaid taxes and assessments.

And James K. Shierson (husband of the said Janet A. Shierson), W. D.

Hays (husband of the said Ursula A. Hays), Howard K. Morgan (husband of the said Barbara Sprow Morgan), Jean B. Sprow (wife of the said August W. Sprow) and Mary H. Sprow (wife of the said William J. Sprow, Jr.) each for valuable consideration do hereby remise, release and forever quitclaim unto the said Grantee, its successors and assigns all their right and expectancy of dower in the above described premises.

IN WITNESS WHEREOF, we have hereunto set our hands this 6th day of January in the year of our Lord Nineteen Hundred and Fifty Six.

Signed and Acknowledged
in the Presence of:

Hazel M. Butts
Sara Jane Hubbard
Emuel Alexander Fike Hays
J. M. Graham
Helena C. Redwill
St. C. L. L. L.
Ernest V. Engelsen

Janet A. Shierson
James K. Shierson
Ursula A. Hays
W. D. Hays Jr.
Barbara Sprow Morgan
Howard K. Morgan
August W. Sprow
Jean B. Sprow
William J. Sprow, Jr.
Mary H. Sprow

As to Barbara Sprow Morgan,
Howard K. Morgan,
August W. Sprow,
Jean B. Sprow,
William J. Sprow, Jr., and
Mary H. Sprow

STATE OF TEXAS)
COUNTY OF MIDLAND) ss:

Before me, a Notary Public in and for said county and state, personally appeared the above named URSULA A. HAYS and W. D. HAYS, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Midland, Texas, this 24th day of December, 1955.



Norma McAlister
Notary Public
My commission expires June 1, 1957

STATE OF MICHIGAN)
COUNTY OF LENAWE) ss:

Before me, a Notary Public in and for said county and state, personally appeared the above named JANET A. SHIERSON and JAMES K. SHIERSON, who acknowledged

that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Windsor, this 6th day of January, 1956.



Harold N. Butts
Notary Public
My commission expires June 9-1957

STATE OF OHIO)
COUNTY OF ERIE) ss:

Before me, a Notary Public in and for said county and state, personally appeared the above named BARBARA SPROW MORGAN, HOWARD K. MORGAN, AUGUST W. SPROW, JEAN B. SPROW, WILLIAM J. SPROW, JR., and MARY H. SPROW, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Sandusky, Ohio, this 11 day of January, 1956.

J. C. Green
Notary Public
My commission expires April 1, 1958

The foregoing deed was prepared by Russell A. Ramsey, 312 Washington Building, Sandusky, Ohio.



143983
WARRANTY DEED

ATTN

JANET A. SHERRSON,
BARBARA SPROW MORGAN,
URSULA A. HAYS,
AUGUST W. SPROW, and
WILLIAM J. SPROW, JR.
JAN 12 PM 3 28
to

THE CITY OF SANDUSKY

RECORDED

ERIE COUNTY OHIO

1956

Transferred

Rec'd 30 County Auditor

State of Ohio, County of Erie, ss.

Received for Record on the

12th, day of Jan., 1956

at 3:28 o'clock P.M.

and Recorded Jan. 13th, 1956

in Deed Book 267, Page 130-131-132

Carl A. Speir
County Recorder

Recorder's Fee \$ 2.00 paid

12-14 Rev

RAMSEY and DIDEIUS
Attorneys at Law
Sandusky, Ohio

THE ERIE COUNTY TITLE CO.

1982



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager

From: Matthew D. Lasko, Chief Development Officer

Date: January 16, 2019

Subject: Commission Agenda Item – Grant Agreement

Items for Consideration: Legislation approving a Grant Agreement between the City of Sandusky and the Erie County Port Authority, a governmental subdivision of the State of Ohio and/or its assigns, for the purposes of furthering economic development efforts within the City.

Background Information: Resort School, LLC is owned by entities affiliated with Marous Development Group, LLC and Cedar Fair, LP (collectively, the “Partners”). Marous Development Group, LLC is owned by Adelbert P. Marous, Jr. who, through his affiliated companies has for over 40 years executed development and construction services on adaptive reuse and new construction projects in Northern Ohio and other surrounding states. Cedar Fair, LP is one the world’s largest amusement and hospitality companies and headquartered in Sandusky, Ohio. Collectively, the Partners desire to construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space and minimally eighty (80) residential units on the Property. The \$13,600,000+ development, planned for 250 E. Market Street (Permanent Parcel Number 56-64051.000), is tentatively planned to be constructed and occupied by September 30, 2020.

The proposed grant agreement calls for the City to contribute \$1,000,000 in grant proceeds to the project – equating to approximately 7.5% of the total project costs. \$480,000 would be paid within one (1) week after closing of the real estate and financing. \$400,000 would be disbursed on or before January 15, 2020 conditioned upon visual evidence that vertical construction of the building has commenced. The final \$120,000 would be disbursed at the later of January 15, 2021 or receipt of a certificate of occupancy for the project site. The remainder of the financing includes a State of Ohio Capital grant, owner equity and bond proceeds from the Erie County Port Authority.

The proposed Grant Agreement is also written with the Erie County Port Authority and/or its assigns as the recipient due to the structure of the financing and real estate. Based on the structure of the bond financing, Resort School, LLC will own the land while the Erie County Port Authority will be the one to own the building improvements initially for a period of five (5) years after construction completion with Resort School, LLC master leasing the building. After five (5) years, the building will transfer ownership to Resort School, LLC.

This project and financing plan was considered by the Economic Development Incentive Committee at its January 2019 meeting and unanimously approved.

Budgetary Information: The City will be responsible for providing \$1,000,000 in total grant contributions to the project from the following sources: \$340,000 from the Real Estate Fund (\$240,000 is from recycling the sales proceeds of the land transfer back into the project), and \$660,000 from the Economic Development Capital Projects account spread over three (3) years.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into a Grant Agreement with the Erie County Port Authority and/or its assigns. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite passage for the project to commence construction in Spring of 2019.

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko, MUPDD, MSSA
Chief Development Officer

cc: Kelly Kresser, Clerk of the City Commission
Trevor Hayberger, Law Director
Hank Solowiej, Finance Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$1,000,000.00 THROUGH THE SUBSTANTIAL DEVELOPMENT GRANT PROGRAM TO THE ERIE COUNTY PORT AUTHORITY, IN RELATION TO THE PROPERTY LOCATED AT 250 E. MARKET STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Resort School, LLC, is jointly owned by entities affiliated with Marous Development Group, LLC and Cedar Fair, LP, who are in the process of acquiring property from the City located at 250 E. Market Street and approval for this acquisition is being requested in companion legislation; and

WHEREAS, the Port Authority was formed, among other purposes, to assist and collaborate with organizations to obtain economic development incentives for the purpose of generating new economic development in Erie County, Ohio; and

WHEREAS, the Port Authority, in collaboration with Resort School, LLC, desires to construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space and minimally eighty (80) residential units on the property and the \$13,600,000+ development is tentatively planned to be constructed and occupied by September 30, 2020; and

WHEREAS, it has been determined that the development of this property with the project pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City and for the health and safety and welfare of its residents, and are necessary to improve the economic and general welfare of the citizens of the City; and

WHEREAS, the Economic Development Incentive Committee met on January 23, 2019, and is recommending to approve a grant to the Erie County Port Authority in the amount of \$1,000,000, in accordance with the Sandusky City Economic Development Programs, to assist with project costs for the purpose of furthering economic development efforts in the City; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the Grant Agreement and allow the project to move forward and commence construction in the Spring of 2019; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission authorizes and directs the City Manager to enter into a Grant Agreement with the Erie County Port Authority for financial assistance related to the property located at 250 E. Market Street, through the Substantial Development Grant Program for the purpose of furthering economic development efforts in the City, substantially in the same form as Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

Section 2. This City Commission authorizes and approves the grant funding to the Erie County Port Authority, and the Finance Director is directed to expend funds to the Erie County Port Authority, in an amount **not to exceed** One Million and 00/100 Dollars (\$1,000,000.00) of which Three Hundred Forty Thousand and 00/100 Dollars (\$340,000.00) will be paid with Real Estate Development Funds and Six Hundred Sixty Thousand and 00/100 Dollars (\$660,000.00) will be paid with Economic Development Capital Projects Funds of the City of Sandusky pursuant to and in accordance with the terms of the Grant Agreement.

Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof;

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City's Commission and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements;

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City

Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019

GRANT AGREEMENT

This Grant Agreement (the "Agreement") is made and entered into as of the ____ day of _____, 2019 between the CITY OF SANDUSKY, OHIO (the "City"), a municipal corporation and political subdivision duly organized and validly existing under the Constitution, its Charter, and the laws of the State of Ohio, and the ERIE COUNTY PORT AUTHORITY, a body corporate and politic and governmental subdivision of the State of Ohio created under 4582.21, et. seq. of the Ohio Revised Code, and/or its assigns ("the Port Authority").

WITNESSETH:

WHEREAS, the Port Authority was formed, among other purposes, to assist and collaborate with organizations to obtain economic development incentives for the purpose of generating new economic development in Erie County, Ohio; and

WHEREAS, the Port Authority, in collaboration with Resort School LLC, an Ohio limited liability company (the "Company"), desires to construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space and minimally eighty (80) residential units (the "Facility") at the underutilized vacant lot at 250 E. Market Street, Sandusky, Ohio 44870 and further known as permanent Parcel Number 56-64051.000 (the "Land"). The Company will purchase the Land from the City, own the land, and lease the Land to the Port Authority to construct the Facility that will be leased back to the Company for a period of five (5) years, whereupon the Company will acquire and own the Facility thereafter. The Land and construction of the Facility represent a total investment of \$13,600,000+/-, which such development is tentatively planned to be constructed and occupied by September 30, 2020, herein after referred to as the "Project". To aid in the development of the Project, the Company, on behalf of the Port Authority, has applied for Substantial Development assistance through the City (the "Grant Application"); and

WHEREAS, to induce the Project, the City has agreed to provide economic incentive grants to the Port Authority to assist in the payment of a portion of the costs of the Project as further described in Section 1 hereof; and

WHEREAS, the City has determined that the development of the Land with the Project pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City and for the health and safety and welfare of its residents, and are necessary to improve the economic and general welfare of people of the City;

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties hereto agree as follows:

Section 1. City Grant.

The City agrees to grant One Million Dollars (\$1,000,000.00) to the Port Authority (the "City Grant") toward the costs of the Project, payable in three (3) disbursements: (1) \$480,000 on the later of one (1) week after the transfer of Permanent Parcel Number 56-64051.000 from the City to the Company or closing of all other financing sources, (2) \$400,000 on or before January 15, 2020, conditioned upon visual evidence that vertical construction of the Facility has

commenced by such date and (3) \$120,000 on the later of receipt of a certificate of occupancy for the Project or January 15, 2021. Exactly \$660,000 of the City Grant will be expensed from the Economic Development Capital Projects account (#431-4070-53000) while the remaining \$340,000 of the City Grant will be expensed from the Real Estate Development Fund (#248-0000-53000). This grant amount will not increase if the Port Authority chooses to make additional improvements not contemplated in the Grant Application. Construction must be done in accordance with and to the reasonable satisfaction of the City, which includes, but is not limited to, compliance with all Planning and Zoning codes, including Landmarks Commission and Planning Commission approval, and other applicable codes and regulations of the City, including obtaining permits. The grant is also contingent upon the Port Authority securing all other project financing. Furthermore, the Port Authority agrees to display a sign during construction and for at least one (1) year upon completion of the Project noting the City's support; and

The City shall pay the City Grant by check in the name of the Port Authority, or its assigns, on the dates of the events listed in the preceding paragraph.

Section 2. Authority to Sign.

The Port Authority and the City both represent that this Agreement has been approved by formal action of the duly authorized representatives of both parties.

Section 3. Assignment or Transfer.

The Port Authority agrees that this Agreement is not transferable or assignable without the express, written approval of the City Manager. Notwithstanding the foregoing, this Agreement, and/or grant funds to be disbursed by the City, may be assigned by the Port Authority, and related grant funds or a portion thereof, disbursed directly, to the Company without further approval from the City or City Manager. The Port Authority shall notify the City Manager and/or Chief Development Officer in writing should the Port Authority elect any portion of the grant funds to be disbursed to the Company.

Section 4. Choice of Law.

This Agreement shall be governed and interpreted in accordance with the laws of the State of Ohio and the parties hereto agree that any dispute or other matter arising out of the interpretation or operation of this Agreement shall be determined in a Court of competent jurisdiction located within the State of Ohio and County of Erie.

Section 5. Binding Agreement.

This Agreement shall be binding on each of the parties and their respective successors and assigns.

Section 6. Miscellaneous.

- (a) Notice. Any notice or communication required or permitted to be given under this Agreement by either party to the other shall be deemed sufficiently given if delivered personally or mailed by United States registered or certified mail postage prepaid or by overnight delivery and addressed as follows:
- (i) TO THE CITY: City Manager
c/o Chief Development Officer
City of Sandusky, Ohio
City Building
222 Meigs Street
Sandusky, OH 44870
- (ii) TO THE PORT AUTHORITY: Erie County Port Authority
5002 Timber Commons Drive
Sandusky, OH 44870
Attention: James O. Miller-Chair
- (iii) WITH A COPY TO THE COMPANY: Resort School LLC
36933 Vine Street
Willoughby, Ohio 44094
Attention: Adelbert P. Marous, Jr.-Manager

Any party may change its address for notice purposes by providing written notice of such change to the other party.

(b) Amendments. This Agreement may only be amended by written instrument executed by all parties.

(c) Effect of Agreement. This Agreement is signed by the parties as a final expression of all the terms, covenants and conditions of their agreement and as a complete and exclusive statement of its terms, covenants and conditions and is intended to supersede all prior agreements and understandings concerning the subject matter of this Agreement.

(d) Counterparts. This Agreement may be signed in several counterparts, each of which shall be an original, but all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF the parties hereto, by and through their duly authorized representatives, have executed this Agreement on behalf of the corporate entities identified herein, on the date first written above.

ERIE COUNTY PORT AUTHORITY

By: _____
James O. Miller - Chair

CITY OF SANDUSKY, OHIO

By: _____
City Manager

The legal form of the within instrument
is hereby approved.

Director of Law
City of Sandusky

CERTIFICATE OF DIRECTOR OF FINANCE

The undersigned, fiscal officer of the City of Sandusky, Ohio, hereby certifies that the money required to meet the obligations of the City under the foregoing Agreement has been lawfully appropriated by the City Commission of the City for such purposes and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Director of Finance

Date



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager

From: Matthew D. Lasko, Chief Development Officer

Date: January 16, 2019

Subject: Commission Agenda Item – Enterprise Zone (EZ) Tax Abatement Agreement

Items for Consideration: Legislation approving an Enterprise Zone Tax Abatement Agreement between the City of Sandusky, the Erie County Port Authority, a governmental subdivision of the State of Ohio and Resort School, LLC an Ohio limited liability company, for the purposes of furthering economic development efforts within the City.

Background Information: Resort School, LLC is owned by entities affiliated with Marous Development Group, LLC and Cedar Fair, LP (collectively, the “Partners”). Marous Development Group, LLC is owned by Adelbert P. Marous, Jr. who, through his affiliated companies has for over 40 years executed development and construction services on adaptive reuse and new construction projects in Northern Ohio and other surrounding states. Cedar Fair, LP is one the world’s largest amusement and hospitality companies and headquartered in Sandusky, Ohio. Collectively, the Partners desire to construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space and minimally eighty (80) residential units on the Property. The \$13,600,000+ development, planned for 250 E. Market Street (Permanent Parcel Number 56-64051.000), is tentatively planned to be constructed and occupied by September 30, 2020.

The proposed Enterprise Zone Tax Abatement Agreement includes two parties – Resort School, LLC and the Erie County Port Authority. Based on the structure of the bond financing, Resort School, LLC will own the land while the Erie County Port Authority will own the building improvements for a period of five (5) years after construction completion with Resort School, LLC master leasing the building. After five (5) years, the building will transfer ownership to Resort School, LLC.

Based on this investment and the importance of the project for meeting post-secondary education and housing needs/demands, and economic impact to the City, staff is recommending approving a 10-year, 75% real estate tax abatement on the increase to the assessed valuation of the property.

Pursuant to ORC Section 5709.83, the Sandusky City Schools have been afforded the appropriate notice based on a certain school notification letter that was delivered on January 14, 2019.

Budgetary Information: The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create a minimum estimated fifty-five (55) temporary construction jobs and ten (10) full-time equivalent employment positions that will be subject to City income tax. Additionally, all new real estate tax revenues in years 11-30 will be paid into Central Public Improvement Tax Increment Equivalent Fund.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into an EZ Tax Abatement Agreement with Resort School, LLC and the Erie County Port Authority. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite passage for the project to commence construction in Spring of 2019.

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko, MUPDD, MSSA
Chief Development Officer

cc: Kelly Kresser, Clerk of the City Commission
Trevor Hayberger, Law Director
Hank Solowiej, Finance Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH THE ERIE COUNTY PORT AUTHORITY AND RESORT SCHOOL, LLC; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the State of Ohio has provided for the establishment of “Enterprise Zones” pursuant to Sections 5709.61 to 5709.914 of the Ohio Revised Code (the “Act”), and for the provision of tax incentives to private enterprise in order to promote and encourage expansion programs by private enterprise in such Enterprise Zones, and the creation and/or preservation of jobs and economic development in connection therewith; and

WHEREAS, the City Commission, by Resolution No. 05-183 adopted December 27, 2005, designated an area as an Enterprise Zone pursuant Section 5709.61(A)(1)(a) and (f) of the Act; and

WHEREAS, effective April 18, 2006, the Director of Ohio Development Services Agency of the State of Ohio determined that the geographic area designated in said Resolution No. 05-183 contains the characteristics set forth in Section 5709.61(A)(1)(a) and (f) of the Act and certified said area as an Enterprise Zone under the Act; and

WHEREAS, Resort School, LLC, is jointly owned by entities affiliated with Marous Development Group, LLC and Cedar Fair, LP, who are in the process of acquiring property from the City located at 250 E. Market Street and approval for this acquisition is being requested in companion legislation; and

WHEREAS, Resort School, LLC, desires to construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space and minimally eighty (80) residential units on the property and the \$13,600,000+ development is tentatively planned to be constructed and occupied by September 30, 2020; and

WHEREAS, the City received a request for Enterprise Zone tax abatement from Resort School, LLC, for their renovation project; and

WHEREAS, the proposed Enterprise Zone Tax Abatement Agreement includes both Resort School, LLC and the Erie County Port Authority as parties since Resort School, LLC will own the land while the Erie County Port Authority will own the building improvements for a period of five (5) years after construction completion with Resort School, LLC master leasing the building and after five (5) years the building will transfer ownership into Resort School, LLC; and

WHEREAS, it is recommended to approve a 10-year, 75% real estate tax abatement on the increase to the assessed valuation of the property, based on

the investment and the importance of the project for meeting post-secondary education and housing needs, and the positive economic impact to the City; and

WHEREAS, pursuant to Ohio Revised Code §5709.83, the Board of Education of the Sandusky City Schools was notified in writing of the request for tax exemption by letter dated and delivered on January 14, 2019; and

WHEREAS, this proposed project will have an ongoing positive impact the City's General Fund as 25% of the increase in value will be subject to real estate taxes during the abatement period and the project will help sustain construction jobs in the local economy and will additionally create an estimated minimum of ten (10) full-time equivalent employment positions that will be subject to City income tax; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to expedite approval of the agreement in order for the project to move forward and commence construction in the Spring of 2019; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This Commission hereby approves the Enterprise Zone Agreement pursuant to the terms and conditions contained therein, a copy of which is marked Exhibit "1" attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

Section 2. The City Manager is hereby authorized and directed to execute the Enterprise Zone Agreement with the Erie County Port Authority and Resort School, LLC, on behalf of the City in accordance with the terms and conditions as contained in the form of the agreement marked Exhibit "1" attached to this Ordinance and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being

substantially adverse to the City and consistent with carrying out the terms of this Ordinance.

Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019

ENTERPRISE ZONE AGREEMENT

This agreement made and entered into by and among the City of Sandusky, Ohio, an Ohio municipal corporation with a Commission-Manager form of government with its main offices located at 222 Meigs Street Sandusky, Ohio 44870 (the “City”), the Erie County Port Authority, a body corporate and politic and governmental subdivision of the State of Ohio created under 4582.21, et. seq. of the Ohio Revised Code, with offices located at 5002 Timber Commons Drive, Sandusky, Ohio 44870 (the “Port Authority”) and Resort School LLC, an Ohio limited liability company, with offices located at 36933 Vine Street, Willoughby, Ohio 44094 (the “Company”),

WITNESSETH:

WHEREAS, The City of Sandusky has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, the Port Authority and Company are desirous of developing a newly constructed five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility housing both post-secondary education space, retain space, and no less than eighty (80) residential units (the “Facility”) at the property in the Enterprise Zone located at 250 E. Market Street, Sandusky, Ohio 44870 and further identified as Permanent Parcel Number 56-64051.000 (the “Land”). The Company will purchase the Land from the City, own the Land, and ground lease the Land to the Port Authority to construct the Facility that will be leased back to the Company for a period of five (5) years, whereupon the Company will acquire and own the Facility thereafter. The Land and construction of the Facility represents a total investment of approximately \$13,600,000 in new construction investment, property acquisition and furniture, fixtures and equipment (the “Project”), which Project will preserve or create employment

opportunities within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, the City Commission of the City of Sandusky, Ohio by Resolution No. 05-183 adopted April 18, 2006, designated the area as an "Enterprise Zone" pursuant Chapter 5709.61(A)(1)(a) and (f) of the Ohio Revised Code; and

WHEREAS, effective April 18, 2006, the Director of the Ohio Development Services Agency of the State of Ohio determined that the aforementioned area designated in said Resolution No. 05-183 contains the characteristics set forth in Section 5709.61(A)(1)(a) and (f) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, the City having the appropriate authority for the stated type of project is desirous of providing the Port Authority and the Company with incentives available for the development of the Project in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, the Company has submitted a proposed agreement application (herein attached as Exhibit A) to the City (the "Application"); and

WHEREAS, the Company has remitted the required state application fee of \$750.00 made payable to "Treasurer of the State of Ohio" with the application to be forwarded with the final agreement; and

WHEREAS, the Chief Development Officer of the City has investigated the application of the Company and has recommended the same to the Sandusky City Commission on the basis that the Port Authority and Company are qualified by financial responsibility and business or

governmental experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of the City; and

WHEREAS, the Land ("Project Site") as proposed by the Company is located in the Sandusky City School District and the Board of Education of the Sandusky City Schools have been notified in accordance with Section 5709.83 and been given a copy of the application; and

WHEREAS, pursuant to Section 5709.62(C) and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

1. The Port Authority and Company, as Construction Manager for the Port Authority, shall newly construct a five-story, approximate seventy-eight thousand (78,000) square foot mixed-use facility that will house both post-secondary education space, retail space, and no less than eighty (80) residential units. The Port Authority and Company estimate an anticipated real estate investment for the Project of \$13,600,000 including acquisition costs, new construction investment and furniture, fixtures and equipment. The Project represents a significant new investment on the site. The construction is expected to be completed by September 30, 2020 but no later than December 31, 2020.

2. The Company shall create or cause to be created the equivalent of minimally ten (10) new full-time equivalent job opportunities within the time period outlined below.

The Company schedule for hiring is to hire or cause to be hired minimally ten (10) new jobs by September 30, 2020. The job creation period begins January 1, 2020 and all jobs are expected to be in place by December 31, 2020.

The Company currently has 0 full-time permanent employees, 0 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees at the Project Site. In total, the Company has 0 full-time permanent employees, 0 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees in the State of Ohio.

This total increase in the number of employees over the entire job creation period will result in approximately \$700,000.00 (dollars) of additional annual payroll for the Company and

its tenants or made possible by the Company and its tenants. The following is an itemization by the type of new jobs created: permanent full-time \$600,000.00, permanent part-time \$100,000.00 and temporary full-time \$0.

3. The Company shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council.

4. The Company will use its best efforts to hire employees from Erie County, with a preference to residents of the City. Furthermore, the Company shall use Erie County contractors for work related to the Project to the greatest extent possible.

5. The City hereby grants the Port Authority and the Company a tax exemption for real property improvements made to the Project site pursuant to Section 5709.62 of the Ohio Revised Code for ten (10) years and shall be in the following amounts:

| <u>Year of Tax Exemption</u> | <u>Tax Exemption Amount</u> |
|------------------------------|-----------------------------|
| YR 1 | 75% |
| YR 2 | 75% |
| YR 3 | 75% |
| YR 4 | 75% |
| YR 5 | 75% |
| YR 6 | 75% |
| YR 7 | 75% |
| YR 8 | 75% |
| YR 9 | 75% |
| YR 10 | 75% |

The exemption commences the first year for which the Project Site would first be taxable were that property not be exempted from taxation. No exemption shall commence after 2021 nor extend beyond 2030.

The Company must file the appropriate tax forms with the County Auditor and with the State Department of Taxation (#913) to effect and maintain the exemptions covered in the agreement. The #913 Ohio tax form **must** be filed annually.

6. The Company shall pay an annual monitoring fee equal to two hundred dollars (\$200.00).

The fee shall be made payable to the City once per year, due no later than April 15th of each year. The fee is to be paid to the Director of Finance by check made out to the City of Sandusky. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 5709.68 of the Ohio Revised Code

and by the Tax Incentive Review Council created under section 5709.85 of the Ohio Revised Code exclusively for the purposes of performing the duties prescribed under that section.

7. The Company shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against the Project Site and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

8. The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

9. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Development Services Agency revokes certification of the zone, or the City revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless the Company materially fails to fulfill its obligations under this agreement and the City terminates or modifies the exemptions from taxation granted under this agreement.

10. If the Company materially fails to fulfill its obligations under this agreement, other than with respect to the number of employee positions estimated to be created or retained under this agreement, or if the City determines that the certification as to delinquent taxes required by this agreement is fraudulent, the City may terminate or modify the exemptions from taxation granted under this agreement.

11. In any three-year period during which this agreement is in effect, if the actual number of employee positions created or retained by the Company is not equal to or greater than seventy-five percent (75%) of the number of employee positions estimated to be created or retained under this agreement during that three-year period, the Company shall repay the amount of taxes on the Project Site that would have been payable had the Project Site not been exempted from taxation under this agreement during that three-year period. In addition, the City may terminate or modify the exemptions from taxation granted under this agreement.

12. The Port Authority and Company hereby certify that at the time this agreement is executed, neither the Port Authority nor the Company owes any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio and does not owe delinquent taxes for which the Port Authority or Company is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753. of the Revised Code, or, if such delinquent taxes are owed, the Port Authority or Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against the Port Authority or Company. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

13. The Port Authority and Company affirmatively each covenant that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

14. The Port Authority, the Company and the City acknowledge that this agreement must be approved by formal action of the legislative authorities of the Port Authority and City as a condition for the agreement to take effect. This agreement shall take effect upon the later of the date of such legislative approvals or the date all parties have signed this agreement.

15. The City has developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, the Company is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, sexual orientation, gender identity or expression, disability, color, national origin, or ancestry.

16. Exemptions from taxation granted under this agreement shall be revoked if it is determined that the Port Authority or Company, any successor enterprise, or any related member (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

17. The Port Authority and Company each affirmatively covenant that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative of the Port Authority or Company has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, such party making such false statement(s) shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

18. This agreement is not transferrable or assignable without the express, written approval of the City. Notwithstanding the foregoing, this agreement is transferrable or assignable between the Port Authority and the Company, from one to the other as the case may be, without further written approval required from the City.

19. This agreement may be signed in several counterparts, each of which shall be an original, but all of which shall constitute but one and the same instrument.

[Signature page follows.]

IN WITNESS WHEREOF, the City of Sandusky, Ohio, by Eric Wobser, its City Manager, and pursuant to Ordinance No. _____, has caused this instrument to be executed this ____ day of _____, 2019, the Erie County Port Authority by James O. Miller, its Chair, and pursuant to Resolution No. _____. has caused this instrument to be executed this ____ day of _____, 2019, and Resort School, LLC., by Adelbert P. Marous Jr., its Manager, has caused this instrument to be executed on this ____ day of _____, 2019.

CITY OF SANDUSKY, OHIO

By: _____
Eric Wobser, City Manager

ERIE COUNTY PORT AUTHORITY

By: _____
James O. Miller, Chair

RESORT SCHOOL LLC.

By: _____
Adelbert P. Marous Jr., Manager

Approved as to form for the City of Sandusky, Ohio:

By: _____
Director of Law

Date: _____, 2019

EXHIBIT A

[Attach Application]

DRAFT

OHIO DEVELOPMENT SERVICES AGENCY
OHIO ENTERPRISE ZONE PROGRAM

PROPOSED AGREEMENT for Enterprise Zone Tax Incentives between the **City of Sandusky** located in the County of **Erie** and **Resort School LLC**.

- 1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

| | | |
|------------------|--|---|
| Enterprise name | | Resort School LLC |
| Contact person | | John E. Spear, CFO |
| Telephone number | | (216) 905-9768 |
| Address | | 36933 Vine Street Willoughby, OH 44094 |
| | | |

- 1b. Project site:

| | | |
|------------------|--|--------------------------------------|
| Contact person | | John E. Spear |
| Telephone number | | (216) 905-9768 |
| Address | | 250 E. Market Street Sandusky, OH |
| | | PPN 56-64051.000 |

- 2a. Nature of business (manufacturing, distribution, wholesale or other).

| |
|---|
| Real Estate development of Cedar Fair/BGSU Resort and Attraction Management Program + 4-stories Residential |
|---|

- 2b. List primary 6 digit NAICS # 531110 .
Business may list other relevant SIC numbers.

- 2c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred)
N/A
-

- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other).
Ohio limited liability company
-

3. Name of principal owner(s) or officers of the business (attach list if necessary).
See Attachment A
-

4. Is business seasonal in nature? Yes___ No__**x**__

- 5a. State the enterprise's current employment level at the proposed project site:

Resort School LLC: none

- 5b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Note that relocation projects are restricted in non-distress based Ohio Enterprise Zones. A waiver from the Director of the Ohio Department of Development is available for special limited circumstances. The business and local jurisdiction should contact ODOD early in the discussions.

Yes___ No__**X**__

- 5c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

N/A

- 5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

Resort School LLC: No employees currently.

- 5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

N/A

- 5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

N/A

- 6a. Has the Enterprise previously entered into an Enterprise Zone Agreement with the local legislative authorities at any site where the employment or assets will be relocated as a result of this proposal? Yes ___ No X ___

- 6b. If yes, list the local legislative authorities, date, and term of the incentives for each Enterprise Zone Agreement:

N/A

7. Does the Enterprise owe:

- a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes___ No X ___

- b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes___ No X ___

- c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Yes___ No X ___

- d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

N/A

8. Project Description (attach additional pages if necessary):

See Attachment B

9. Project will begin **April, 2019** and be completed **September, 2020** provided a tax exemption is provided.

10a. Estimate the number of new employees the business intends to hire at the facility that is the project site (job creation projection must be itemized by full and part-time and permanent and temporary):

Resort School LLC: Resort School LLC is anticipating to employ 4-5 full-time employees to operate the project, consisting of a full-time Property Manager/Leasing Agent; part-time IT Consultant & part-time Community Assistant (together 1 FTE), a full-time maintenance individual, a full-time Cleaner, and part-time Security labor.

Resort School LLC Tenant: 6-7 full-time employees; 1-2 adjunct faculty (part-time)

10b. State the time frame of this projected hiring: 1.5 years

10c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

Resort School LLC: The employees required to operate the facility will be hired approximately one to three months prior to the opening of the facility (approximately between July-September 2020.

Resort School LLC Tenant: All but 1-2 of the full-time employees will be hired by May, and the remaining full- and part-time employees will be hired by the start of the fall 2020 semester.

11a. Estimate the amount of annual payroll such new employees will add (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).

Resort School LLC: Estimated total annual compensation of approximately \$174,000.

Resort School LLC Tenant: Estimated total annual compensation of approximately \$540,000.

11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project:

\$ N/A

12. Market value of the existing facility as determined for local property taxation.
\$90,140 – current land and improvements fair market value per Erie County Auditors valuation.

13a. Business's total current investment in the facility as of the proposal's submission.

\$0 – see Item 14 below for proposed total investment in the facility.

- 13b. State the businesses' value of on-site inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year (stated in average \$ value per most recent 12-month period) in which the agreement is entered into (baseline inventory):

\$ 0

14. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

| | <u>Minimum</u> | <u>Maximum</u> |
|---------------------------------------|----------------|---------------------|
| A. Acquisition of Buildings | \$0 | \$250,000 |
| B. Additions/New Construction | | \$13,368,700 |
| C. Improvements to Existing Buildings | \$0 | \$0 |
| D. Machinery & Equipment | | Incl. |
| E. Furniture & Fixtures | | Incl. |
| F. Inventory | \$0 | |
| Total New Project Investment | | <u>\$13,618,700</u> |

15. a. Business requests the following tax exemption incentives: 75 % for 10 years covering real and/or personal property including inventory as described above. Be specific as to type of assets, rate, and term.

Sandusky City real property tax abatement on the improved appraised value of the project upon completion and occupancy.

- b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)

See Attachment C

Submission of this application expressly authorizes (name of the local jurisdiction) and/of (name of county) to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #7 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant agrees to supply additional information upon request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Resort School LLC

Name of Enterprise

Date

1/11/19

Signature

Typed Name and Title

Manager

* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

** Attach to Final Enterprise Zone Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Enterprise Zone Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.

ATTACHMENT A

3. Name of principal owner(s) or officers of the business

Resort School LLC

| | | | |
|------------------|----------------------------|-------------|----------------|
| Name/Title: | Resort School Partners LLC | | |
| Email: | jspear@marous-dg.com | Phone: | (216) 905-9768 |
| EIN/SSN (last 4) | 83-3099992 | % Ownership | 50% |

| | | | |
|------------------|--|-------------|----------------|
| Name/Title: | Cedar Point Park LLC, a wholly-owned subsidiary of Cedar Fair LP | | |
| Email: | dmilkie@cedarfair.com | Phone: | (419) 609-5770 |
| EIN/SSN (last 4) | 47-3372892 | % Ownership | 50% |

ATTACHMENT B

8. Project Description

Cedar Fair LP (Cedar Fair) and Bowling Green State University (BGSU) have entered into an agreement whereby Cedar Fair will sponsor a new Resort and Attractions Management Program for 3rd and 4th year students. Marous Development Group, in partnership with Cedar Fair, has formed an Ohio limited liability company, Resort School LLC, to develop and construct a ground floor Academic facility for the Program, along with four (4) stories of Residential multi-family units above the Academic facility, primarily but not exclusively for Program students.

The two principal building components are:

Ground Floor:

A Ground Floor Academic and Administrative space enclosed within a predominantly masonry and precast podium structure of 18,334 Gross Square Feet (GSF). The spaces within this podium are:

| | |
|--------------------|------------------|
| Academic space: | 12,753 GSF |
| Residential Lobby: | 2,882 GSF |
| Retail Space: | 1,496 GSF |
| Shared Utility: | <u>1,203 GSF</u> |
| Total: | 18,334 GSF |

Residential Floors:

A four-story wood-framed structure with exterior masonry bearing walls, consisting of:

| | |
|-------------------|-----------------------------|
| Apartments: | 14,924 GSF per Floor |
| 4-Floor Total: | 59,696 GSF |
| Apartments/Floor: | 9 Studios 11 2BR |
| Total Apartments: | 36 Studios <u>44 2BR</u> |
| Total Units: | 80 Units |
| Total Beds: | 124 |

Parking:

A 32-car on-site parking lot. The City of Sandusky will also provide additional weekday parking for the remainder of the units on the Market Grounds immediately across Hancock Street from the project.

ATTACHMENT C

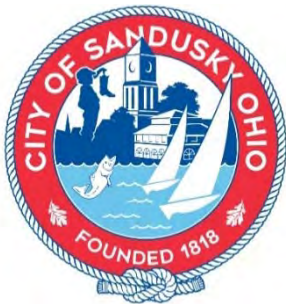
15.b. Business reasons for requesting tax incentives (be quantitatively specific as possible):

Marous Development Group LLC and Cedar Fair have formed Resort School LLC for the express purpose of developing, designing, constructing, and managing a new development project to be located on vacant City-owned land at the southwest corner of E. Market and Hancock Street, Sandusky, OH.

The proposed project will house a new Resort and Attractions Management program (RAAM), sponsored by Cedar Fair Entertainment Company ("Cedar Fair") in conjunction with Bowling Green State University (BGSU). The program is currently projected to accommodate 200 students in the Fall and Spring semesters of their 3rd and 4th years. The project will consist of a Ground Floor masonry and precast podium with four floors of residential apartments over. The podium will house RAAM classroom, faculty, administration, and common spaces, as well as Residential lobby and Retail space.

The Residential apartments will consist of four upper floors of 20 units each (9 Studios and 11 2BR), for a total of 80 units (36 Studios and 44 2BR), with a total of 124 beds. The Residential component is critical to the success of the RAAM program, due to its collaborative and active learning nature. The Residential component will provide rental apartments for 124 students with student-oriented amenities and security immediately adjacent to the school and downtown. The year-round student population will provide an off-season boost to downtown businesses.

The current market rents in Sandusky, approximately \$1.25 per square foot per month, do not allow for the cost and benefits of new construction downtown, and therefore do not make the project economically feasible without the requested tax abatement program requested for a ten (10) year, 75% tax abatement on the completed, improved value. The success of the program depends on the immediate adjacency of students to both the classroom spaces and to each other as the curriculum will focus on active learning and group interaction outside the classroom. While the RAAM program will be the beneficiary of State and Cedar Fair funding, the apartments will require market-rate financing, which in turn requires a net operating income sufficient to cover at least 125% of the loan payments. The requested tax abatement will be a major factor in reducing operating expenses sufficient to produce the required net operating income at Sandusky apartment rental rates.



LAW DEPARTMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5852
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager

From: Trevor M. Hayberger, Law Director

Date: January 16, 2019

Subject: January 28, 2019, Agenda Item - Amending Chapter 145 (Employment Provisions) of the City's Codified Ordinances

Item for Consideration: Legislation amending Charter 145 (Employment Provisions) of the City's Codified Ordinances, specifically Sections 145.12 (Holidays) and 145.18 (Sick Leave, Cash Payment).

Background Information: Contract negotiations were recently finalized for the City's Collective Bargaining Units (AFSCME, FOP, IAFF) and approved by this City Commission. All three (3) unions agreed to replace Columbus Day with General Election Day as a recognized holiday and implement a tiered sick leave payout provision that applies to new hires.

In order for these changes to be effective for administrative employees, who are not covered by a collective bargaining agreement, it is necessary to amend Chapter 145 (Employment Provisions) of the City's Codified Ordinances.

Budgetary Information: There is no budgetary impact to the General Fund.

Action Requested: It is requested that an Ordinance be passed amending Chapter 145 (Employment Provisions) of the City's Codified Ordinances, specifically Sections 145.12 (Holidays) and 145.18 (Sick Leave, Cash Payment). It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter as the sick leave changes apply to any new hire since January 1, 2019.

I concur with this recommendation:

Trevor M. Hayberger, Law Director

Eric L. Wobser, City Manager

cc: Kelly Kresser, Clerk of the City Commission
Hank Solowiej, Finance Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART ONE (ADMINISTRATIVE CODE), TITLE FIVE (OFFICERS AND DEPARTMENTS), CHAPTER 145 (EMPLOYMENT PROVISIONS), SECTION 145.12 (HOLIDAYS) AND SECTION 145.18 (SICK LEAVE, CASH PAYMENT) OF THE CODIFIED ORDINANCES OF THE CITY SANDUSKY, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the purpose of the amendment is to replace Columbus Day with General Election Day as a recognized holiday and to implement a tiered sick leave payout provision to be consistent with the City's collective bargaining units' agreements recently approved by this City Commission; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter as the sick leave changes apply to any new hires since January 1, 2019; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Finance, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. Part One (Administrative Code), Title Five (Officers and Departments), Chapter 145 (Employment Provisions), Section 145.12 (Holidays), of the Codified Ordinances of the City is hereby amended as follows:

NEW LANGUAGE APPEARS IN BOLD PRINT
LANGUAGE TO BE STRICKEN APPEARS WITH A STRIKE THROUGH IT
LANGUAGE TO REMAIN UNCHANGED APPEARS IN REGULAR PRINT

145.12 HOLIDAYS.

Holidays shall be observed as follows:

(a) All City officers and/or employees whose pay is fixed on a monthly basis and who are not presently covered by a collective bargaining agreement with AFSCME Local No. 1519, IAFF Local No. 327 or F.O.P. Lodge No. 17 shall be entitled to the following holidays:

- (1) New Year's Day, January 1;

- (2) Martin Luther King Day, the third Monday in January;
- (3) President's Day, the third Monday in February;
- (4) Good Friday (one-half day);
- (5) Memorial Day, the last Monday in May;
- (6) Independence Day, July 4;
- (7) Labor Day, the first Monday in September;
- (8) ~~Columbus Day, the second Monday in October;~~ **General Election Day, the first Tuesday after the first Monday in November**
- (9) Veterans Day, November 11;
- (10) Thanksgiving Day, the fourth Thursday in November;
- (11) The Friday after the fourth Thursday in November;
- (12) Christmas Eve, December 24;
- (13) Christmas Day, December 25;
- (14) New Year's Eve (one-half day); and
- (15) Floating holiday.

(b) Holidays, alternate dates: In the event any of the holidays in subsection (a) hereof shall fall on Saturday, the Friday immediately preceding shall be observed as the holiday. In the event any of the holidays shall fall on Sunday, the Monday succeeding shall be observed as the holiday.

(c) In the event an employee does not observe a designated holiday, the employee may schedule an alternative day off with approval of the employee's supervisor. In the alternative, the employee may receive compensation for the unused holiday time on the first pay period following the last holiday of the year (New Year's Eve). The hours to be compensated shall not exceed twenty-four hours per year.

~~(Ord. 08-146. Passed 12-22-08.)~~

Section 2. Part One (Administrative Code), Title Five (Officers and Departments), Chapter 145 (Employment Provisions), Section 145.18 (Sick Leave, Cash Payment), of the Codified Ordinances of the City is hereby amended as follows:

**NEW LANGUAGE APPEARS IN BOLD PRINT
LANGUAGE TO BE STRICKEN APPEARS WITH A STRIKE THROUGH IT
LANGUAGE TO REMAIN UNCHANGED APPEARS IN REGULAR PRINT**

145.18 SICK LEAVE, CASH PAYMENT.

(a) A City employee, at the time of retirement under the applicable retirement system from active service with the City, and with ten or more years of service with the City, or with the State, or any of its political subdivisions, is to be paid in cash in accordance with the following schedule:

- (1) Employees with less than 1000 hours of accrued but unused sick leave will receive 25% of the accumulated hours.

- (2) Employees with ~~more than~~ 1000 hours of accrued but unused sick leave but less than 2000 hours will receive 30% of the total accumulated hours.
- (3) Employees with ~~more than~~ 2000 hours but less than 3000 hours of accrued but unused sick leave will receive 35% of the total accumulated hours.
- (4) Employees with ~~more than~~ 3000 **or more** hours of accrued but unused sick leave will receive 45% of the total accumulated hours.

For Employees hired on or after January 1st, 2019, at the time of retirement from active service with the City, an employee with ten (10) or more years of service with the City or with the State or any of its political subdivisions, is to be paid in cash for the value of his/her accrued but unused sick leave in accordance with the following tiered schedule:

- (1) For an Employees first 1000 hours of accrued but unused sick leave the Employee will receive 25% of these accumulated hours.**
- (2) For an Employee's hours from 1001 to 2000 hours of accrued but unused sick leave the Employee will receive 30% of these hours.**
- (3) For an Employee's hours from 2001 to 3000 hours of accrued but unused sick leave the Employee will receive 35% of these hours.**
- (4) For an Employee's hours of 3001 or more hours of accrued but unused sick leave the Employee will receive 45% of these hours.**

Such payment shall be based on the employee's rate of pay at the time of retirement. In order to be eligible for the sick leave payout, the employee must be employed by the City at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. Such payment shall be made only once to any employee.

(b) When a City employee dies while in the active service of the City, the same cash bonus shall be paid to his or her estate.

~~(Ord. 08-146. Passed 12-22-08.)~~

Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its

PAGE 4 - ORDINANCE NO. _____

adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST:

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019



ADMINISTRATIVE SERVICES

222 Meigs Street
Sandusky, Ohio 44870
Phone: 419-627-5969
shamilton@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Stuart Hamilton, Chief Orzech

Date: January 15th, 2019

Subject: **Commission Agenda Item – Mobile Security and Surveillance Cameras**

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City of Sandusky to expend funds for the purchase of two new Sentry Pods 360 Remote Surveillance Cameras from Smart Digital of Ashland, OH.

BACKGROUND INFORMATION:

There has been a growing need for a reliable remote surveillance solution within the City. This is a need that has been brought up not only by the Police Chief (trouble spot surveillance), but also the Commission (Train Crossing surveillance) and other departments for various tasks (trash dumping etc.). Over the last year, a team from IT and the Police Department investigated and tested multiple different solutions that would achieve our set goals for this project. We decided on the solution from Smart Digital as the best fit both functionally and robustly. These units will spend a lot of time in harsh weather and need to be military grade to last. We managed to negotiate a good discount from the vendor for purchasing both together.

Proposed Solution:

We will start by implementing these at the train crossings to document alleged extended blocking and then rotate them around to other problem sites. These cameras are high quality in build specifications and high quality in video specification. They are extremely mobile and easy to move from location to location as needed and will be able to run without the need for a dedicated power source and are easily integratable. We can remotely monitor and manage these cameras live while also recording locally and remotely, eventually we will be able to write back out our new City Video Management Server.

BUDGETARY INFORMATION: The cost of the project is \$15,623.50 and will be expensed from the IT's operating budget in the General Fund in the amount of \$5000.00, from the Water Fund in the amount of \$2500.00, from the Sewer Fund in the amount of \$2500.00 and \$5,623.50 from the Law Enforcement Trust Fund.

ACTION REQUESTED: Requesting legislation authorizing the City of Sandusky to expend funds for the purchase of two new Sentry Pods 360 Remote Surveillance Cameras from Smart Digital of Ashland, OH. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite the order so the City can begin using the surveillance equipment at the earliest opportunity.

Chief Orzech
Chief of Police

Stuart Hamilton
I.T Manager

I concur with this recommendation:

Eric Wobser
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director



732 Clark Ave
Ashland OH 44805

megan@smartdigital.net
www.smartdigital.net

Estimate

| Date | Estimate # |
|------------|------------|
| 12/14/2018 | 2183 |

| Name / Address |
|--|
| City of Sandusky 222 Meigs Street Sandusky, OH 44870 |

| Project |
|---------------|
| 2 Sentry PODS |

| Description | Qty | Rate | Total |
|--|-----|-----------|-----------|
| SENTRY PODS 360 LIGHT COMMERCIAL AXIS M5525-E PTZ CAMERA | 1 | 8,996.17 | 8,996.17 |
| SILVER CHANNEL PARTNER DISCOUNT | | -1,184.42 | -1,184.42 |
| SENTRY PODS 360 LIGHT COMMERCIAL AXIS M5525-E PTZ CAMERA | 1 | 8,996.17 | 8,996.17 |
| SILVER CHANNEL PARTNER DISCOUNT | | -1,184.42 | -1,184.42 |
| Subtotal | | | 15,623.50 |

50% is payable and due on acceptance of this Estimate, with balance due on completion of installation. Failure to pay within terms may result in a 2% per month charge on the unpaid balance and/or deactivation of device/system/service. Reactivation may be subject to a fee of \$50.00 per device. The above prices, terms, conditions and specifications are hereby accepted, and payment(s) will be made in accordance with these terms. Smart Digital is hereby authorized to perform the work as specified above.

Accepted by: _____

Signed: _____ Date of Acceptance: _____

| | |
|-------------------------|-------------|
| Subtotal | \$15,623.50 |
| Sales Tax (0.0%) | \$0.00 |
| Total | \$15,623.50 |

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE TWO (2) SENTRY PODS 360 REMOTE SURVEILLANCE CAMERAS FROM SMART DIGITAL OF ASHLAND, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, there has been an increasing need for a reliable remote surveillance system for use throughout the City for surveillance at trouble spots, railroad crossings, trash dumping areas, etc. and a committee comprised of IT Staff and Police Officers has investigated and tested multiple different solutions that would achieve the City's goals for remote surveillance; and

WHEREAS, based upon the evaluations and testing conducted by the committee, it was determined the surveillance cameras from Smart Digital of Ashland, Ohio, are the best cameras for the City's intended use and are high quality, military grade, weather resistant, easily moveable from location to location, operate without a dedicated power source, and are easily integratable with the City's IT system; and

WHEREAS, the total cost of the two (2) new Sentry Pods 360 Remote Surveillance Cameras is \$15,623.50 and will be paid with funds from the IT's operating budget in the General Fund in the amount of \$5,000.00, Water Funds in the amount of \$2,500.00, Sewer Funds in the amount of \$2,500.00, and Law Enforcement Trust Funds in the amount of \$5,623.50; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the cameras to be immediately ordered so the City can begin using the surveillance equipment at the earliest opportunity; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Police Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to purchase two (2) Sentry Pods 360 Remote Surveillance Cameras from Smart Digital of Ashland, Ohio, at an amount **not to exceed** Fifteen Thousand Six Hundred Twenty Three and 50/100 Dollars (\$15,623.50).

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions

thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019



CITY OF SANDUSKY – POLICE DEPARTMENT

JANUARY 10, 2019

TO: Eric Wobser, City Manager

FROM: John Orzech, Police Chief
Stuart Hamilton, IT Manager

RE: Commission Agenda Item

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City Manager to purchase fifty-six (56) Axon Body cameras, related management software, hardware and accessories (See attached quote) from Axon, 17800 N 85th St., Scottsdale Arizona, 85255, in the amount not to exceed \$155,973, over three years as described in quote.

BACKGROUND INFORMATION: In 2015, the Sandusky Police Department purchased the first set of BWC's from L-3 Communications. It was through the generous donation of the Dorn Foundation, that the BWC program was implemented. The cameras have outlasted their useful life.

The use of Body Worn Cameras (BWCs) has become a critical tool in safeguarding the actions and rights of citizens and police officers throughout the country. The BWC's are designed to be worn on the officer's uniform and to capture video and audio events as interaction between police officers and the citizens are taking place. The purpose of the BWC is to document statements and events during the course of an incident. To enhance the law enforcement operator's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation. Officers shall have access to view and utilize the recordings from their BWC for training purposes and to further investigate their cases. To preserve visual and audio information for use in current and future investigations. To provide an impartial measurement for self-critique and field evaluation during officer training. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings.

Proposed Solution

A Request for Proposals (RFP) process was initiated by the IT department several months ago, to determine a new vendor, due to numerous issues with the L-3 product reliability and inability to provide an updated solution for the needs of the department. We had a total of six respondents and through a review and scoring process by a review team, three companies were scored to proceed to the demonstration and testing phase. The cameras, hardware, and software were extensively tested and analyzed. Axon was unanimously selected as the lowest and best proposer from their camera, software, hardware, and management solution platform based upon the company's qualifications and management, the camera's durability, wear-ability, data transfer use, battery life overall quality, and the cost. We managed to negotiate a substantial discount (\$26,712) for this solution.

BUDGETARY INFORMATION: The total cost of the fifty-six (56) Axon Body cameras, software, hardware and accessories (See attached quote) will be paid through the police department's budget, potential grant funding and remainder from Capital Projects Fund over the next three years, in accordance with the pay schedule (in the table below) in an amount not to exceed \$155,973.

| Year 1 | Year 2 | Year 3 | Totals |
|----------|----------|----------|-----------|
| \$62,373 | \$46,800 | \$46,800 | \$155,973 |

ACTION REQUESTED: It is requested that the proper legislation be prepared to purchase fifty-six (56) Axon Body cameras, software, hardware and accessories (See attached quote) from Axon, 17800 N 85th St., Scottsdale Arizona, 85255. It is further requested that this be passed in accordance with Section 14 of the City Charter to expedite the purchase and installation and allow the officers to begin using the new and improved cameras as quickly as possible.

Approved:

I concur with this recommendation:

John Orzech, Police Chief

Eric Wobser, City Manager

Stuart Hamilton, IT Manager

cc: Hank Solowiej, Finance Director
Trevor Hayberger, Law Director



Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737

Q-186981-43480.879RM

Issued: 01/15/2019

Quote Expiration: 02/01/2019

Account Number: 113243

Start Date: 03/15/2019
Payment Terms: Net 30
Delivery Method: Fedex - Ground

SALES REPRESENTATIVE

Russ Myers
Phone: 480-463-2168
Email: rmyers@axon.com
Fax: 480-999-6151

PRIMARY CONTACT

Danny Lewis
Phone: (419) 627-5798
Email: dlewis@ci.sandusky.oh.us

SHIP TO

Danny Lewis
Sandusky Police Department - OH
222 MEIGS ST.
Sandusky, OH 44870
US

BILL TO

Sandusky Police Department - OH
222 MEIGS ST.
Sandusky, OH 44870
US

Year 1

| Item | Description | Quantity | List Unit Price | Net Unit Price | Total (USD) |
|----------------------------------|--|----------|-----------------|----------------|-------------|
| Axon Plans & Packages | | | | | |
| 80123 | EVIDENCE.COM STORAGE, UNLIMITED | 48 | 288.00 | 0.00 | 0.00 |
| 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | 48 | 240.00 | 240.00 | 11,520.00 |
| 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | 9 | 336.00 | 336.00 | 3,024.00 |
| 80012 | BASIC EVIDENCE.COM LICENSE: YEAR 1 PAYMENT | 44 | 180.00 | 0.00 | 0.00 |
| 80022 | PRO EVIDENCE.COM LICENSE: YEAR 1 PAYMENT | 4 | 468.00 | 351.00 | 1,404.00 |
| 80052 | AXON AUTO TAGGING SERVICE ADD-ON: 1 YEAR PAYMENT | 48 | 180.00 | 180.00 | 8,640.00 |
| 85110 | EVIDENCE.COM INCLUDED STORAGE | 440 | 0.00 | 0.00 | 0.00 |
| 85110 | EVIDENCE.COM INCLUDED STORAGE | 120 | 0.00 | 0.00 | 0.00 |
| Hardware | | | | | |
| 74001 | AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK | 48 | 499.00 | 499.00 | 23,952.00 |
| 70033 | WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK | 9 | 42.00 | 42.00 | 378.00 |
| 74020 | MAGNET MOUNT, FLEXIBLE, AXON RAPIDLOCK | 1 | 0.00 | 0.00 | 0.00 |
| 74021 | MAGNET MOUNT, THICK OUTERWEAR, AXON RAPIDLOCK | 1 | 0.00 | 0.00 | 0.00 |
| 11553 | SYNC CABLE, USB A TO 2.5MM | 48 | 0.00 | 0.00 | 0.00 |
| 74008 | AXON DOCK, 6 BAY + CORE, AXON BODY 2 | 9 | 1,495.00 | 1,495.00 | 13,455.00 |

Year 1 (Continued)

| Item | Description | Quantity | List Unit Price | Net Unit Price | Total (USD) |
|-----------------|--------------------|----------|-----------------|--------------------|-------------|
| Services | | | | | |
| 85144 | AXON STARTER | 1 | 2,500.00 | 0.00 | 0.00 |
| 85146 | AXON 1-DAY SERVICE | 1 | 2,000.00 | 0.00 | 0.00 |
| | | | | Subtotal | 62,373.00 |
| | | | | Estimated Shipping | 0.00 |
| | | | | Estimated Tax | 0.00 |
| | | | | Total | 62,373.00 |

Spares

| Item | Description | Quantity | List Unit Price | Net Unit Price | Total (USD) |
|-----------------|--|----------|-----------------|----------------|-------------|
| Hardware | | | | | |
| 74001 | AXON CAMERA ASSEMBLY, ONLINE, AXON BODY 2, BLK | 8 | 0.00 | 0.00 | 0.00 |
| 11553 | SYNC CABLE, USB A TO 2.5MM | 8 | 0.00 | 0.00 | 0.00 |
| | | | | Subtotal | 0.00 |
| | | | | Estimated Tax | 0.00 |
| | | | | Total | 0.00 |

Year 2

| Item | Description | Quantity | List Unit Price | Net Unit Price | Total (USD) |
|----------------------------------|--|----------|-----------------|----------------|-------------|
| Axon Plans & Packages | | | | | |
| 80123 | EVIDENCE.COM STORAGE, UNLIMITED | 48 | 288.00 | 288.00 | 13,824.00 |
| 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | 48 | 240.00 | 240.00 | 11,520.00 |
| 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | 9 | 336.00 | 336.00 | 3,024.00 |
| 80013 | BASIC EVIDENCE.COM LICENSE: YEAR 2 PAYMENT | 44 | 180.00 | 180.00 | 7,920.00 |
| 80023 | PRO EVIDENCE.COM LICENSE: YEAR 2 PAYMENT | 4 | 468.00 | 468.00 | 1,872.00 |
| 80053 | AXON AUTO TAGGING SERVICE ADD-ON: 2 YEAR PAYMENT | 48 | 180.00 | 180.00 | 8,640.00 |
| 85110 | EVIDENCE.COM INCLUDED STORAGE | 440 | 0.00 | 0.00 | 0.00 |
| 85110 | EVIDENCE.COM INCLUDED STORAGE | 120 | 0.00 | 0.00 | 0.00 |
| | | | | Subtotal | 46,800.00 |
| | | | | Estimated Tax | 0.00 |
| | | | | Total | 46,800.00 |

Year 3

| Item | Description | Quantity | List Unit Price | Net Unit Price | Total (USD) |
|----------------------------------|--|----------|-----------------|----------------|-------------------|
| Axon Plans & Packages | | | | | |
| 80123 | EVIDENCE.COM STORAGE, UNLIMITED | 48 | 288.00 | 288.00 | 13,824.00 |
| 85070 | TASER ASSURANCE PLAN ANNUAL PAYMENT, BODYCAM | 48 | 240.00 | 240.00 | 11,520.00 |
| 87026 | TASER ASSURANCE PLAN DOCK 2 ANNUAL PAYMENT | 9 | 336.00 | 336.00 | 3,024.00 |
| 80014 | BASIC EVIDENCE.COM LICENSE: YEAR 3 PAYMENT | 44 | 180.00 | 180.00 | 7,920.00 |
| 80024 | PRO EVIDENCE.COM LICENSE: YEAR 3 PAYMENT | 4 | 468.00 | 468.00 | 1,872.00 |
| 80054 | AXON AUTO TAGGING SERVICE ADD-ON: 3 YEAR PAYMENT | 48 | 180.00 | 180.00 | 8,640.00 |
| 85110 | EVIDENCE.COM INCLUDED STORAGE | 440 | 0.00 | 0.00 | 0.00 |
| 85110 | EVIDENCE.COM INCLUDED STORAGE | 120 | 0.00 | 0.00 | 0.00 |
| Subtotal | | | | | 46,800.00 |
| Estimated Tax | | | | | 0.00 |
| Total | | | | | 46,800.00 |
| Grand Total | | | | | 155,973.00 |

Discounts (USD)

Quote Expiration: 02/01/2019

| | |
|--------------|-------------------|
| List Amount | 182,685.00 |
| Discounts | 26,712.00 |
| Total | 155,973.00 |

**Total excludes applicable taxes and shipping*

Summary of Payments

| Payment | Amount (USD) |
|--------------------|-------------------|
| Year 1 | 62,373.00 |
| Spares | 0.00 |
| Year 2 | 46,800.00 |
| Year 3 | 46,800.00 |
| Grand Total | 155,973.00 |

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

| | | | |
|----------------------------|-------|---------------|-------|
| Signature: | _____ | Date: | _____ |
| Name (Print): | _____ | Title: | _____ |
| PO# (Or write N/A): | _____ | | |

Please sign and email to Russ Myers at rmyers@axon.com or fax to 480-999-6151

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

Quote: Q-186981-43480.879RM

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ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE FIFTY-SIX (56) AXON BODY CAMERAS, INCLUDING SOFTWARE, HARDWARE AND ACCESSORIES FROM AXON ENTERPRISE, INC. OF SCOTTSDALE, ARIZONA, FOR THE SANDUSKY POLICE DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, in 2015, the Sandusky Police Department purchased the first set of Body Worn Cameras (BWC) through the generous donation of The Randolph J. & Estelle M. Dorn Foundation and these cameras are exceeding their useful life expectancy; and

WHEREAS, the use of Body Worn Cameras (BWC) has become a critical tool in safe guarding the actions and rights of citizens and police officers throughout the Country and provide an impartial measurement for self-critique and field evaluation during officer training and enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings; and

WHEREAS, the City issued a Request for Proposals (RFP) in September of 2018, to replace the Police Department's body worn cameras and management solution; and

WHEREAS, six (6) proposals were received, evaluated and ranked by a selection committee and the top three (3) ranked proposers provided demonstrations with a testing phase following and based upon the company's qualifications and management, the camera's durability, wear-ability, data transfer use, battery life, overall quality, and the cost, Axon Enterprise, Inc. was selected as the lowest and best proposer; and

WHEREAS, the total cost for the fifty-six (56) Axon body cameras, including software, hardware and accessories is \$155,973.00, which includes a discount of \$26,712.00, and will paid over a three (3) year period with \$62,373.00 to be paid in Year 1, \$46,800.00 to be paid in Year 2, and \$46,800.00 to be paid in the Year 3, and these costs will be paid with funds from the Police Department's operational budget, potential grant funding, and Capital Projects Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to expedite the purchase and installation and allow the officers to begin using the new and improved cameras as quickly as possible; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Police Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO,

THAT:

Section 1. The City Manager is authorized and directed to purchase fifty-six (56) Axon body cameras, including software, hardware and accessories for the Police Department from Axon Enterprise, Inc. of Scottsdale, Arizona, at an amount **not to exceed** One Hundred Fifty-Five Thousand Nine Hundred Seventy Three and 00/100 Dollars (\$155,973.00) and is to be paid over a three (3) period with the amount of \$62,373.00 to be paid in Year 1, \$46,800.00 to be paid in Year 2, and \$46,800.00 to be paid in Year 3.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

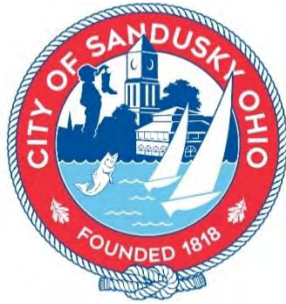
Section 3. This Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager
From: Matthew D. Lasko, Chief Development Officer
Date: January 16, 2019
Subject: Commission Agenda Item – Permission to Bid Asbestos Abatement and Demolition of 624 Camp Street

Item for Consideration: Resolution of necessity for permission to bid the asbestos abatement and demolition of the property located at 624 Camp Street and further identified as permanent parcel no. 59-00493.000 (herein referred to as the “Property”).

Background Information: The Property consists of a single-family house which caught fire in 2018. The property was/is owned by Mr. Robert G. Garrett and was used most recently as an investment property.

The City, based on inspection by our Chief Building Official determined the Property to be over 50% deteriorated, damaged and decayed – however did not issue an emergency demolition order as the Property was not at risk of immediate collapse. The City attempted to provide a reasonable amount of time to Mr. Garrett to either rehabilitate or demolish the structure voluntarily.

Based on the lack of progress on either voluntary rehabilitation or demolition, the City issued a demolition order to the owner. Neither the owner or the other interested party (State Department of Taxation) appealed the demolition order to the Housing Appeals Board.

Based on the lack of activity and appeal and more importantly, the worsening nuisance condition of the Property, staff is recommending moving forward with the bidding of asbestos abatement and demolition of the Property.

Budgetary Information: The total estimated cost for this project including advertising and miscellaneous expenses is likely to exceed \$10,000. After receipt and review of bids, staff will present to City Commission a recommendation to enter into a contract with the firm that provided the lowest and best bid for the demolition. The source to cover the expense of the demolition initially will be the Removal of Unsafe Buildings Fund. The owner will then be billed the full cost of the demolition. If the bill remains unpaid, the full cost of the demolition will be certified to the tax duplicate.

Action Requested: It is requested that the proposed bidding for the asbestos abatement and demolition of 624 Camp Street be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to continue to implement the City's efforts towards blight elimination in the interest of the health and safety and general welfare of the citizens of Sandusky.

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko
Chief Development Officer

cc: Kelly Kresser, Clerk of City Commission
Hank Solowiej, Finance Director
Trevor Hayberger, Law Director
Scott Thom, Chief Building Official

RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED ASBESTOS ABATEMENT AND DEMOLITION OF 624 CAMP STREET PROJECT; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed Asbestos Abatement and Demolition of 624 Camp Street involves the asbestos abatement and demolition of a single-family structure which caught fire in 2018 and is located at 624 Camp Street and identified as Parcel No. 59-00493.000; and

WHEREAS, the City, based on inspection by the Chief Building Official, determined the property to be over 50% deteriorated, damaged and decayed and because the property was not at risk of immediate collapse, attempted to provide a reasonable amount of time for the property owner to either rehabilitate or demolish the structure; and

WHEREAS, the City issued a demolition order to the owner based on the lack of progress on either voluntary rehabilitation or demolition and since the order was not appealed, Staff is recommending moving forward with the bidding of asbestos abatement and demolition of the property based on the lack of activity and more importantly, the worsening nuisance condition of the property; and

WHEREAS, the total estimated cost for this project including advertising and miscellaneous expenses is anticipated to be over \$10,000.00 and will initially be paid with Removal of Unsafe Building Funds and subsequently charged to the owner and assessed to the property for all costs related to the demolition; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to bid the project, obtain competitive bids, and complete the project to continue to implement the City's efforts towards blight elimination in the interest of the health and safety and general welfare of the citizens of Sandusky; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission approves of the proposed Asbestos Abatement and Demolition of 624 Camp Street Project.

Section 2. This City Commission hereby declares it necessary to proceed with the proposed Asbestos Abatement and Demolition of 624 Camp Street Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the proposed Asbestos Abatement and Demolition of 624 Camp Street Project as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 28, 2019